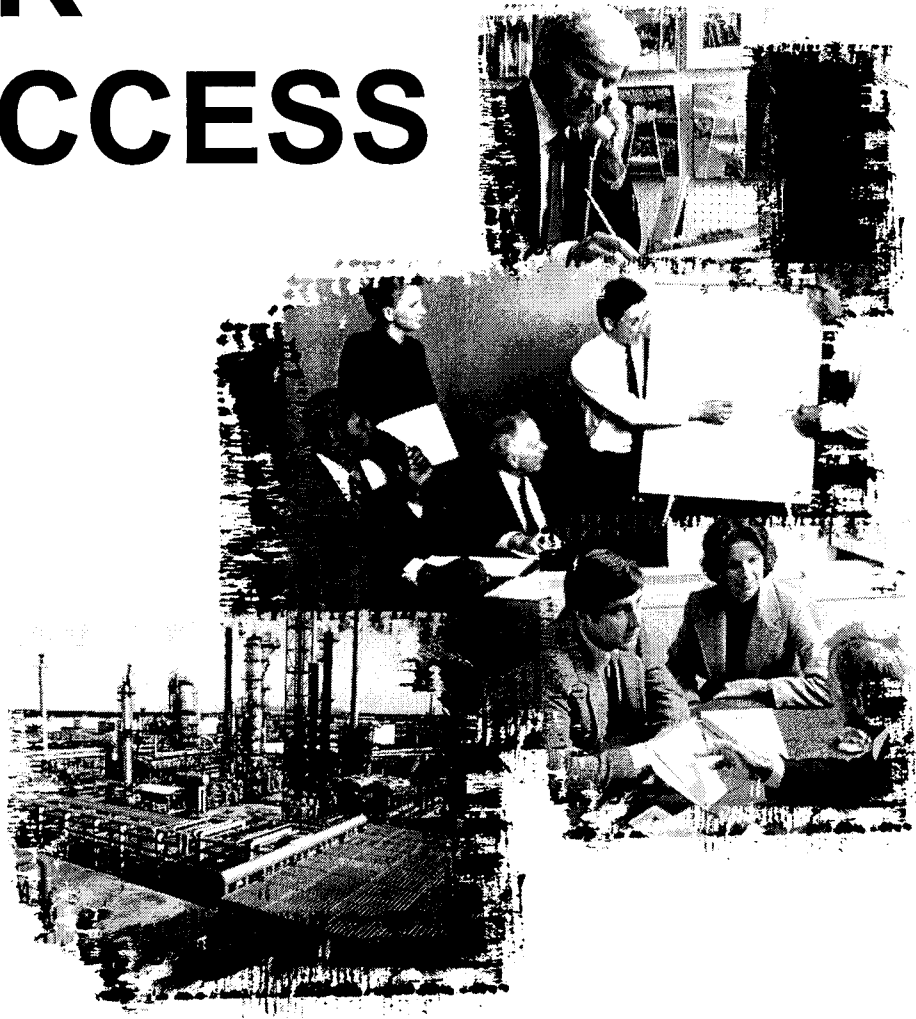


LEPCS: ORGANIZING FOR SUCCESS



**A handbook to assist Local Emergency Planning
Committees implement SARA TITLE III responsibilities**

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CHAPTER ONE

Summary of SARA Title III

What LEPCs Need to Know

SARA Title III - Emergency Planning & Community Right-to-Know Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) was enacted by Congress in 1980 to clean up the nation's hazardous waste sites and to provide for emergency response to releases of hazardous substances into the environment. CERCLA is also called Superfund, and the hazardous waste sites are known as Superfund sites. In response to continuing community concern regarding hazardous materials and chemical release tragedies, a reauthorization and expansion of Superfund was signed into law in 1986. It is known as the Superfund Amendments and Reauthorization Act (SARA). Title III of SARA ("SARA Title III") is the Emergency Planning and Community Right-To-Know Act (EPCRA).

SARA Title III establishes requirements for Federal, State and local governments, Indian Tribes, and industry regarding emergency planning and "Community Right-to-Know" reporting on hazardous and toxic chemicals. The Community Right-to-Know provisions help increase the public's knowledge and access to information on chemicals at individual facilities, their uses, and releases into the environment. States and communities, working with facilities, can use the information to improve chemical safety and protect public health and the environment.

SARA Title III is a federal act that is implemented in Michigan under an Executive Order from the Governor. In accordance with the act, the Governor established a State Emergency Response Commission (SERC). The SERC has 17 commissioners appointed by the Governor and is chaired by a representative of the Michigan State Police (MSP). The MSP Emergency Management Division oversees the emergency planning requirements in SARA Title III. The vice chair is a representative of the Department of Environmental Quality (DEQ). The Michigan SARA Title III Program in the DEQ handles the reporting requirements in SARA Title III and receives all reports on behalf of the SERC.

The U.S. Environmental Protection Agency (EPA) enforces SARA Title III. The regulations implementing SARA Title III are codified in Title 40 of the Code of Federal Regulations, parts 350 through 372.

SARA Title III requires that the SERC establish Local Emergency Planning Committees (LEPCs). There are 89 LEPCs in Michigan – one for each of the 83 counties, as well as LEPCs for the cities of Ann Arbor, Detroit, Grand Rapids, Livonia, Romulus and Wayne.

Where To Go For Help

MSP Emergency Management Division
Phone: (517) 336-6198
Web page: www.mspemd.org
E-mail: mspemd-sara@michigan.gov

EPCRA Call Center
Phone: (800) 424-9346
EPA Chemical Emergency Preparedness and Prevention Office
Web page: www.epa.gov/ceppo/

Michigan SARA Title III Program
Phone: (517) 373-8481
Web page: www.michigan.gov/deqsara
E-mail: deq-ead-sara@michigan.gov

What Does SARA Title III Cover?

SARA Title III has four major components:

- Emergency planning (Sections 302 & 303);
- Emergency release notification (Section 304);
- Hazardous chemical inventory (Sections 311 & 312); and
- Toxic chemical release inventory (Section 313).

The chemicals covered by each of the sections are different, as are the quantities that trigger reporting. Each of these components is discussed below.

Emergency Planning (Sections 302 & 303)

The emergency planning sections are designed to develop State and local governments' emergency response and preparedness capabilities through better coordination and planning, especially within the local community. Off-site emergency response plans are developed by LEPCs and contain information that community officials can use at the time of a chemical accident. These plans address the off-site response to emergency releases of "extremely hazardous substances" from certain facilities in their planning districts.

Local Emergency Planning Committee

The LEPC must include, at a minimum, elected state and local officials, police, fire, civil defense, public health professionals, environmental, hospital, and transportation officials as well as representatives of facilities subject to the emergency planning requirements, community groups, and the media. The LEPC must establish rules, give public notice of its activities, and establish procedures for handling public requests for information.

Emergency Response Plans

The LEPC's primary responsibility is developing emergency response plans and reviewing them at least annually thereafter. In developing these plans, the LEPC evaluates available resources for preparing for and responding to a potential chemical accident. The facilities for which these plans must be written are those that have extremely hazardous substances (EHSs) on site in amounts above certain thresholds.

The emergency response plans must be initially reviewed by the SERC. Regional Response Teams, composed of federal regional officials and state representatives, may review the plans and provide assistance to the LEPCs upon request.

Planning activities of LEPCs and facilities should be initially focused on, but not limited to, the EHSs. Plans should be comprehensive, addressing all hazardous materials of concern and transportation as well as fixed facilities. The plans must:

- Identify facilities and transportation routes of extremely hazardous substances;
- Describe emergency response procedures, on-site and off-site;
- Designate a community coordinator and facility coordinator(s) to implement the plan;
- Outline emergency notification procedures;
- Describe methods for determining the occurrence of a release and the probable affected area and population;
- Describe community and industry emergency equipment and facilities and the identity of persons responsible for them;
- Identify primary and alternate evacuation routes;
- Describe a training program for emergency response personnel (including schedules); and

- Present methods and schedules for exercising emergency response plans.

Facilities are required to notify LEPCs if they are subject to emergency planning requirements. There are 356 extremely hazardous substances (EHSs) published by EPA in the Federal Register. If a facility has any of the listed chemicals at or above its associated threshold planning quantity (TPQ), it must notify the SERC and the LEPC that it is subject to the SARA Title III Emergency Planning requirements. This one-time notification must be made within 60 days after the facility first receives a shipment that causes it to meet or exceed the TPQ for that substance. In addition, the SERC or the Governor can designate additional facilities, after public comment, to be subject to these requirements. As soon as facilities are subject to the emergency planning requirements, they must designate a representative to participate in the planning process.

Details of the Section 302 Emergency Planning Notification procedures and the list of EHSs with associated TPQs are in Chapter Five (5).

Emergency Release Notification (Section 304)

If there is a release of a hazardous substance from a facility into the environment that is equal to or exceeds the minimum reportable quantity set in the regulations, the facility must immediately (within 15 minutes of discovery) notify the U.S. Coast Guard National Response Center, the SERC by calling the DEQ Pollution Emergency Alerting System, and their LEPC. This requirement covers the 356 extremely hazardous substances as well as more than 700 listed hazardous substances subject to the emergency release notification requirements under CERCLA Section 130(a)(40 CFR 302.4). Some chemicals are common to both the EHS and CERCLA lists. Initial notification can be made by telephone, radio, or in person.

A written follow-up notice must be submitted to the SERC and LEPC as soon as practicable (within 2 weeks) after the release. The follow-up notice must update information included in the initial notice and provide information on the actual response actions taken and advice regarding medical attention necessary for citizens exposed to the released chemical.

More information about this requirement is in Chapter Four (4).

Hazardous Chemical Inventory (Sections 311 & 312)

Hazardous chemical inventory reporting applies to any facility that is required to maintain a material safety data sheet (MSDS) in accordance with the Occupational Safety and Health Administration (OSHA) regulations. More than 6000 facilities in Michigan submit hazardous chemical inventories to the SERC, LEPCs, and local fire departments. These inventories provide valuable information regarding hazard potential to the first responders in the event of a chemical release emergency. The hazardous chemical inventory data are not posted on the Internet. However, the public may request copies of the hazardous chemical inventory reports for specified facilities and the most recent calendar year from the SERC or the LEPCs under the community right-to-know provisions of SARA Title III.

Details of the hazardous chemical inventory reporting requirements are in Chapter Four (4).

Toxic Chemical Release Inventory (Section 313)

Section 313 of SARA Title III is commonly referred to as the Toxic Chemical Release Inventory (TRI). Section 313 requires certain facilities to complete a report annually for specified chemicals. The report must be submitted to both the EPA and the SERC by July 1, and covers releases and waste management of listed toxic chemicals during the preceding calendar year. Facilities also must report information on source reduction, recycling, and treatment under the Pollution Prevention Act of 1990. The regulation covering Section 313 can be found in the Code of Federal Regulations (40 CFR 372).

A facility is subject to TRI reporting if it meets three criteria:

- Has ten or more full-time employees (or the equivalent of 20,000 hours per year);
- Is a “covered” industry based on its primary Standard Industrial Classification (SIC) Code, and
- Manufactures (including import), processes, or otherwise uses a listed toxic chemical above an activity threshold.

There are approximately 900 facilities in Michigan that submit TRI reports. The EPA maintains the information in a national TRI database that is available to the public. The Michigan SARA Title III Program also makes the information available to the public. TRI data are available on the Internet and in published reports.

Other SARA Title III Provisions

SARA Title III Penalties

Section 325 of the SARA Title III addresses the penalties for failures to comply with the requirements of this law. Civil and administrative penalties ranging from \$11,000 - \$82,500 per violation or per day for failure to comply with the following reporting requirements:

- Emergency planning (section 302);
- Emergency release notification (section 304);
- Hazardous chemical inventory (sections 311 & 312);
- Toxic chemical release inventory (section 313); and
- Trade secrets (section 322 & 323).

Criminal penalties up to \$50,000 or two years in prison may also be given to any person who knowingly and willfully fails to provide emergency release notification. Penalties of up to \$20,000 and/or up to one year in prison may be given to any person who knowingly and willfully discloses any information entitled to protection as a trade secret. In addition, Section 326 allows citizens to initiate civil actions against the EPA, state emergency response commissions, and/or the owner or operator of a facility for failure to meet the requirements of the emergency planning and community right-to-know provisions. A state emergency response commission, local emergency planning committee, state or local government may institute actions against facility owner/operators for failure to comply with Title III requirements. In addition, states may sue the EPA for failure to provide trade secret information.

Public Access

Section 324 of the Emergency Planning and Community Right-to-Know Act provides for public access to information gathered under this law. Under this section, all Material Safety Data Sheets, hazardous chemical inventory forms, toxic chemical release forms, follow-up emergency notices, and the emergency response plan must be made available during normal working hours by the SERC and LEPC, except where trade secret provisions apply. (LEPCs do not have toxic chemical release forms.) In order to inform the public of the availability and location of the information provided to the LEPC, the LEPC must publish a notice annually in the local newspaper.

Michigan's SARA Title III Program

May 2003

Title III of the Superfund Amendments and Reauthorization Act of 1986 ("SARA Title III") is also known as the Emergency Planning and Community Right-to-Know Act (EPCRA). It is a federal act, and is enforced in Michigan by the U.S. Environmental Protection Agency. The requirements are implemented in Michigan under an executive order from the Governor. Michigan does not have any additional or modified requirements.

SARA Title III Reporting

The Michigan SARA Title III Program oversees reporting under SARA Title III. It is housed in the Department of Environmental Quality (DEQ), Environmental Science & Services Division and receives all reports on behalf of the State Emergency Response Commission (SERC).

There are NO FEES associated with reporting under SARA Title III in Michigan.

The following lists the SARA Title III reports and identifies who must receive copies:

SARA TITLE III SECTION	REPORT REQUIREMENT	REPORT FORM	REPORT DUE	AGENCIES TO RECEIVE REPORT		
302	Emergency Planning Notification	Emergency Planning Notification Confirmation Form	Within 60 days after threshold reached	Michigan SARA Title III Program	Local Emergency Planning Committee (LEPC)	
304	Emergency Chemical Release – Initial Notification		Within 15 minutes after discovery	Pollution Emergency Alerting System (PEAS) at 800- 292-4706 (in- state) or 517- 373-0440 (outside of state)	All LEPCs potentially affected by the release	U.S. Coast Guard National Response Center (NRC) at 800-424-8802
304	Emergency Chemical Release – Follow-up	Spill or Release Report	Within 2 weeks after initial notice	Michigan SARA Title III Program	All LEPCs affected by the release	
311	Material Safety Data Sheet Reporting		Within 3 months after threshold reached	Michigan SARA Title III Program	LEPC	Local fire department
312	Tier Two – Emergency Planning & Hazardous Chemical Inventory	Tier Two	Annually, by March 1	Michigan SARA Title III Program	LEPC	Local fire department
313	Toxic Chemical Release Inventory Form R	Form R	Annually, by July 1	Michigan SARA Title III Program	EPCRA Reporting Center	

Contact the Michigan SARA Title III Program at:

Michigan SARA Title III Program
Department of Environmental Quality
P.O. Box 30457
Lansing, MI 48909-7957
(517) 373-8481
E-mail: deq-ead-sara@michigan.gov
Internet: www.michigan.gov/deqsara

For federal express or UPS deliveries:
Michigan SARA Title III Program
DEQ - ESSD
Constitution Hall, 1 North
525 West Allegan
Lansing, MI 48933

SARA Title III Emergency Planning

The Michigan State Police, Emergency Management Division (MSP EMD) oversees emergency planning under SARA Title III. For information regarding Local Emergency Planning Committees (LEPCs) or off-site emergency plans required under SARA Title III, contact MSP EMD:

Michigan State Police
Emergency Management Division
4000 Collins Road
Lansing, MI 48909-8136
(517) 336-2042
E-mail: mspemd-sara@michigan.gov
Internet: www.mspemd.org

CHAPTER TWO

The State Emergency Response Commission History

Creation

SARA Title III mandated that each state governor appoint a State Emergency Response Commission (SERC). This commission can be comprised of a single agency or representatives of various groups. In accordance with this law, Executive Order 1987-5 established the Michigan Emergency Planning and Community Right-to-Know Commission on April 17, 1987.

Composition

Michigan's SERC is comprised of seventeen members:

- Department of State Police, Chair;
- Department of Environmental Quality, Vice Chair;

Other State Agencies:

- Department of Agriculture;
- Department of Community Health;
- Department of Labor & Economic Growth;

Other Representatives:

- Small Business;
- Commercial/Industrial Facilities;
- Labor;
- Local Government;
- Education, Health & Safety/MIS;
- Local Emergency Response;
- Agriculture;
- Local Emergency Planning;
- Public Health/Environmental Interest;
- General Public;
- Local Government/Environmental Health; and
- Emergency Management.

A list of current LEPC chairpersons is available by contacting the Michigan State Police, Emergency Management Division. It is also available via the internet; www.mspemd.org

Duties

- Designate emergency planning districts to facilitate preparation and implementation of emergency response plans.
- Appoint members to Local Emergency Planning Committees within each emergency planning district.
- Supervise and coordinate the activities of Local Emergency Planning Committees.
- Designate an official to serve as coordinator for information.
- Receive and process requests from the public regarding emergency response plans, Material Safety Data Sheets (MSDS), hazardous chemical inventory forms, and toxic chemical release inventory forms and emergency release notices.
- Review and make recommendations on emergency response plans submitted by LEPCs.

Michigan Implementation

- All 83 counties have been designated as emergency planning districts.
- Municipalities with emergency management programs may petition the commission to be designated as a SARA Title III emergency planning district.
- The commission requests that the chief executive of the emergency planning district submit nominations for LEPC membership.
- The Department of Environmental Quality administers all reporting and community right-to-know provisions.
- The Department of State Police administers all emergency planning provisions.
- The Department of State Police oversees LEPC activities.

Meeting Schedule

Unless otherwise specified by the commission, the commission shall meet every quarter beginning in January, on the second Tuesday of the meeting month.

CHAPTER THREE

Creating a Local Emergency Planning Committee (LEPC)

The following describes the steps, which must be taken to create a viable LEPC.

Submit LEPC Membership Nominations To State Commission

By law, the Michigan Emergency Planning and Community Right-to-Know Commission must designate emergency planning districts. The state commission established Local Emergency Planning Committees (LEPCs) in each county. Some municipalities have elected to establish LEPCs separate from their counties.

SARA Title III requires that the following groups be represented on the LEPC:

- Elected state and local officials (e.g., mayor, state representatives, board of commissioners);
- Law enforcement (e.g., police, sheriff, MSP post commander);
- Civil defense (e.g., local emergency management coordinator);
- Fire-fighting (e.g., fire marshal, fire chief, fire trainer);
- First aid and health (e.g., EMS, health department representative);
- Local environmental (e.g., local Sierra Club, Audubon Society. Contact Michigan Environmental Council for active groups in area);
- Hospital (e.g., local hospital);
- Transportation personnel (e.g., local trucking/rail firm representative);
- Broadcast and print media (e.g., newspaper reporter);
- Community groups (e.g., neighborhood association, service clubs); and
- Owners/operators of facilities subject to the reporting requirements of SARA Title III.

Additionally, the Michigan commission recommends that representatives from the following sectors also be appointed to the LEPC:

- Organized labor (e.g., firefighters' union, etc.);
- Education (e.g., science teacher, professor); and
- Agriculture (e.g., farmer, co-op representative).

The Michigan Emergency Planning and Community Right-to-Know Commission requests that the chief executive of the emergency planning district nominate representatives for each of the groups listed above. The chief executive should pick persons who would represent each sector and provide the LEPC with expertise and perspective. These individuals must be formally nominated to the state commission by notifying the SERC in writing, listing the name, address and community group represented. The state commission acts on these nominations. Each nominee receives a confirmation letter as well as certificate.

If a municipality wishes to form an emergency planning district and LEPC separate from the county, it must submit a request to the state commission.

The Michigan Emergency Planning and Community Right-to-Know Commission has established a policy whereby municipalities of 10,000 or more population which have created emergency management programs under Act 390, the Michigan Emergency Management Act, may petition the state commission to also be designated as an emergency planning district under SARA Title III. The state commission will request LEPC member nominations. The jurisdiction then follows the other steps in this chapter to create

an LEPC. It has been noted that LEPCs that remain active and productive are ones that meet on a monthly basis.

Create A Set Of Bylaws

Each LEPC should develop and adopt a set of bylaws. Bylaws are a set of rules that govern the operation of the LEPC.

The following should be included in the bylaws:

- Provisions for public notification of committee activities;
- Public meetings to discuss the emergency plan;
- Public comments and response to such comments by the committee; and
- Distribution of the emergency plan(s).

In addition, at a minimum, the LEPC bylaws should include:

- Authority for the establishment of the LEPC;
- The LEPC jurisdiction;
- Its purpose;
- Membership nominations;
- Term of membership;
- Filling of vacancies;
- General meeting schedule;
- Subcommittees;
- Officers and responsibilities; and
- Rules for governing and conduct.

For copies of sample bylaws, contact the Michigan State Police, Emergency Management Division.

Choose Officers

The LEPC must appoint a chairperson, an information coordinator and a community emergency coordinator. Additionally, it is highly recommended that the LEPC appoint a vice-chair and a secretary. The manner in which these officers are chosen is not specified. They can be appointed or elected, according to the LEPC's bylaws. A local emergency management coordinator receiving federal Emergency Management Assistance (EMA) funding can accept any officer position but not more than two.

The following are typical tasks performed by LEPC officers:

Chairperson

- Opens and conducts LEPC meetings;
- Establishes the meeting agenda and guides the LEPC through agenda;
- Maintains the authority to sign and execute contracts on behalf of the LEPC;
- Authenticates LEPC proceedings (e.g., by signing the minutes);
- Appoints subcommittees and respective chairs; and
- Typically is a non-voting member except in a tie-breaking situation.

Vice-chairperson

- Assumes the roles and responsibilities of the Chairperson in the Chairperson's absence.

Secretary

- Prepares and keeps legible, permanent records (e.g., the minutes) of LEPC proceedings; and
- Authenticates LEPC proceedings (e.g., by signing the minutes).

Information Coordinator

- Receives, organizes and maintains facility reports; and
- Processes all information requests from the public.

Community Emergency Coordinator

(It is recommended that the local emergency management coordinator be designated as Community Coordinator since their duties are identical.)

- Coordinates the development and implementation of site-specific hazardous materials emergency response plans;
- Receives immediate notification on the LEPC's behalf regarding any hazardous materials release in the jurisdiction; and
- Makes a determination (in conjunction with the facility coordinator) necessary to implement the plan.

Set A Meeting Schedule

In order to maintain an active LEPC, a routine meeting schedule must be established for the calendar year. The LEPC may meet monthly, bimonthly or quarterly. It is recommended that the LEPC meet, at a minimum, every quarter.

When scheduling LEPC meetings, the LEPC should keep in mind that all public proceedings must be in compliance with the State of Michigan Open Meetings Act of 1976, the State of Michigan and Federal Freedom of Information Act of 1976 and the Federal Americans with Disabilities Act of 1990.

The State of Michigan Open Meetings Act of 1976 states:

- All proceedings should be held in a public place.
- All meeting notices must be posted at a public principal office (e.g., the County Building) and may be posted in other prominent public buildings in the jurisdiction.
- A public notice stating the dates, times and places of its regular meetings shall be posted within ten (10) days after the first meeting in each calendar or fiscal year.
- All minutes are a matter of public record, and must be made available for public inspection no more than eight (8) business days *after* the meeting.
- Approved minutes must be made available for public inspection not later than five (5) business days after the meeting at which the minutes are approved.

The State of Michigan Freedom of Information Act of 1976 states:

- Upon oral or written request, the public has the right to inspect, copy or receive copies of a public record.
- The request for information must be responded to within five (5) business days after the day the request is received.

The Federal Americans with Disabilities Act of 1990 states:

- All meetings must be held in places that are "barrier free" to those who may be physically challenged.
- An offer of "reasonable accommodation" must be extended to anyone who wishes to attend any LEPC proceeding.

Create LEPC Subcommittees

The number and type of subcommittees that an LEPC creates depends solely on the needs of the LEPC and its members. Subcommittees may be formed and disbanded as occasions arise to accomplish initial and ongoing tasks. Subcommittee membership need not be limited to LEPC members. The LEPC is encouraged to invite persons from various sectors of the community for additional input and enhanced expertise.

In determining the type and number of subcommittees to initially establish, the LEPC should examine a number of factors regarding current LEPC status and future expectations and goals.

At a minimum, it is suggested that all LEPCs form three basic subcommittees:

A Planning Subcommittee whose responsibilities may include:

- Assisting in the revision of the hazardous material response portion of the emergency operations plan/ emergency action guidelines;
- Establishing a vulnerability zone determination methodology;
- Developing the Off-site plans for each Section 302 site; and
- Reviewing the plans annually.

A Public Information Subcommittee whose responsibilities may include:

- Writing and publishing public notices;
- Establishing an information retrieval system; and
- Performing citizen/neighborhood outreach to inform them of plans and other information that is available.

A Training and Exercising Subcommittee whose responsibilities may include:

- Collecting MIOSHA training information and compliance statistics;
- Establishing an exercise schedule; and
- Coordinating training programs.

Once a needs assessment has been done by the LEPC and basic subcommittees have been formed, the LEPC may desire to create additional subcommittees to respond to expanded needs/ideas generated from the current LEPC membership. Some examples include:

An Executive Subcommittee whose responsibilities may include:

- Appointing chairpersons for each subcommittee;
- Developing LEPC long term goals;
- Tending to LEPC member needs;
- Reviewing LEPC membership terms and soliciting volunteers to fill vacancies;
- Being familiar with state, local and federal laws which impact the hazardous material planning process; and
- Developing a work plan with timetables for the other subcommittees.

A Resource Development Subcommittee whose responsibilities may include:

- Researching the community's resources for emergency response (e.g., various types of equipment, facilities and expertise available);
- Identifying alternative resources upon which the community may draw in time of emergency or disaster;

- Updating the local Resource Manual; and
- Identifying other volunteer or in-kind contributions (e.g., private sources such as local business/industry, non-profit agencies etc.) which may be used for various types of responses.

An Emergency Response Subcommittee whose responsibilities may include:

- Developing emergency response procedures for local government personnel that may be utilized in hazardous materials responses; and
- Establishing local Incident Command System (ICS) procedures to strengthen and coordinate local government emergency response.

A Finance Subcommittee whose responsibilities may include:

- Management of the LEPC budget; and
- Examining and recommending funding sources.

A Business/Industry Outreach Subcommittee whose responsibilities may include:

- Developing initiatives that will encourage active participation by the community's commercial businesses and industrial facilities.

Update LEPC Nominations

The LEPC chair must submit additional nominations for LEPC membership changes to the Michigan Emergency Planning and Community Right-to-Know Commission.

The term of membership for LEPC members may be a designated period of time (e.g., one year) as decided upon by the LEPC and adopted in the bylaws. The LEPC may add provisions in its bylaws to cover resignations and nomination of new members. Again, all resignations and changes should be forwarded to the state commission in writing.

Accomplish Identified Objectives

If the LEPC leadership takes steps to maintain a healthy LEPC as identified in the preceding step (inputs), it will have an easier time accomplishing the tasks as required by law (outputs). The LEPC should also review all the suggested tasks listed in each subsequent chapter to become a fully functioning, useful LEPC.

Local Emergency Planning Committee Chairs

A list of current LEPC chairpersons is available by contacting the Michigan State Police, Emergency Management Division. It is also available via the internet; www.mspemd.org

Suggestions For LEPCs

Since acts of terrorism on the United States are occurring more frequently, most recently, September 11, 2001 in New York, Pennsylvania, and the District of Colombia, planning for terrorist-initiated events is more important than ever. By their very nature, LEPCs are an ideal resource for terrorism planning. They already have developed a network to organize, respond and act on incidents that occur in their communities. Also, LEPCs have the expertise from several disciplines and resources (fire, police, public works) that can be vital in response to a terrorist act. The Environmental Protection Agency (EPA) suggests that LEPCs should incorporate planning and response to terrorist acts in their emergency plans.

Chapter 3: Creating A Local Emergency Committee (LEPC)

In some communities, LEPCs have addressed plans for other problems that could affect their communities. Such plans can include:

- School violence;
- Civil unrest/riots; and
- All hazards to the community.

Some LEPCs have formed advisory committees to develop plans and procedures for potential situations. Forming advisory committees or an advisory council is just one way to develop plans to be prepared for situations that could affect the way of life for the community. Only by developing plans and being prepared can LEPCs reduce the effects of a disaster. Currently there is no legislation that requires that LEPCs have to address this type of planning; it is at the discretion of the LEPCs to plan for these incidents.

The purpose of an advisory committee is to oversee and resolve issues relevant to emergency management. The Advisory Council should meet on a regular basis, provide goals, and focus for the entire emergency management program. Members of the advisory committee should come from both the private and public sectors of the community. Representatives from local utilities, the American Red Cross chapter, and other community-based organizations should be invited to discuss their roles in the emergency management program. In some communities, the role of the Advisory Council could be handled by the Local Emergency Planning Committee (LEPC) created under SARA Title III.

For more information on planning for terrorism and /or other emergency planning regulations, visit these sites: Michigan State Police; www.michigan.gov/msp; EPA; www.epa.gov/ceppo or the U.S. National Response Team homepage www.nrt.org.

CHAPTER FOUR

Hazardous Chemical Inventory & Release Reporting

There are four sections in SARA Title III that require facilities to submit reports to the LEPC:

- Section 311 - Submittal of Material Safety Data Sheets (MSDS) or chemical lists;
- Section 312 - Submittal of Hazardous Chemical Inventories (Tier forms);
- Section 304 - Emergency release notification; and
- Section 302 - Emergency planning notification.

Details of the reporting requirements under sections 311, 312, and 304 are in this chapter. See **Chapter Five** for the Emergency Planning Notification requirements under section 302. Any questions regarding these reporting requirements should be directed to the Michigan SARA Title III Program in the Department of Environmental Quality (DEQ) at 517-373-8481 or deq-ead-sara@michigan.gov.

Hazardous Chemical Inventory

The requirements for facilities to submit hazardous chemical inventories to the SERC, LEPCs and local fire departments are described in the documents that follow this introduction. Those documents are designed so that they can be copied and distributed to facilities at the discretion of the LEPC.

The Emergency & Hazardous Chemical Inventory report required by section 312 of SARA Title III can be submitted as either a Tier One or a Tier Two report. The SERC prefers that the facilities submit a Tier Two report. The Tier One report only provides information on the amount of chemical in each hazard category, while the Tier Two report provides details on each chemical above the reporting threshold. If a facility submits a Tier One report, the SERC, LEPC or local fire department can request that the facility submit a Tier Two report instead. The facility then has 30 days to submit the Tier Two report to the SERC, LEPC and local fire department.

Under the Community Right-to-Know provisions of SARA Title III, any person may request Tier Two information with respect to a specific facility by submitting a written request to the SERC or LEPC. When responding to such a request, do NOT provide confidential location information to the person. Tier Two reports for the most recent report year should be kept on file by the LEPC. The "Confidential Location" forms should be kept in a separate secure location. If a facility claims that chemical information is "Trade Secret," contact the Michigan SARA Title III Program for guidance on how to handle this information. Do NOT provide trade secret information to any person.

LEPCs can use the information in the Tier Two report for their community emergency response plan. Many of the facilities that are subject to SARA Title III section 302 Emergency Planning Notification (see **Chapter Five**) must also submit a hazardous chemical inventory under section 312. This report gives the planner information about all of the hazardous chemicals at a facility that are present in large amounts. It also tells the planner about hazardous chemicals in other facilities in their jurisdiction.

The Michigan SARA Title III Program enters the information submitted on the Tier Two reports into a database. The LEPC (or fire department) can request an electronic copy of this database for a specified report year for facilities in their jurisdiction. Contact the Michigan SARA Title III Program for details.

LEPC Tasks:

- Appoint an information coordinator to manage the storage and retrieval of this information.
- Choose a location and system for the storage of this material so that it can be easily retrieved. One form of data management is the filing system. A simple system of filing all MSDSs or lists by company name in alphabetical order is recommended. Larger jurisdictions receiving more information may want to computerize their system. There is computer software available, such as CAMEO, to accomplish this task. Original submittals from facilities for the most recent report year must be kept on file.
- Publicize the address where facilities should send their MSDSs and Tier forms. Be sure that the Michigan SARA Title III Program has the correct address posted on their Internet site.
- Respond to written requests from the public for information submitted in reports pursuant to SARA Title III.

**SARA TITLE III
SECTIONS 311 & 312
EMERGENCY & HAZARDOUS CHEMICAL INVENTORY REPORTING
40 CFR Part 370**

Sections 311 and 312 of Title III of the Superfund Amendments & Reauthorization Act of 1986 ("SARA Title III") address emergency and hazardous chemical inventory reporting requirements. These requirements apply to any facility that is required to maintain a material safety data sheet (MSDS) in accordance with the Occupational Safety and Health Administration (OSHA) hazard communication standards. Over 6000 facilities in Michigan submit hazardous chemical inventories to the Michigan SARA Title III Program, Local Emergency Planning Committees (LEPCs), and local fire departments. These inventories provide valuable information regarding chemical release hazard potential to the first responders.

The Michigan SARA Title III Program accepts all reports on behalf of the State Emergency Response Commission (SERC).

What Chemicals Are Included

Under OSHA regulations, employers must maintain an MSDS for any *hazardous* chemical or substance stored or used in the work place. Approximately 500,000 products have MSDSs required by OSHA. These are referred to here as "OSHA hazardous chemicals." There is *no list* of these OSHA hazardous chemicals.

Sections 311 and 312 of SARA Title III require that owners or operators of facilities submit initial and annual reports of the OSHA hazardous chemicals if they meet or exceed certain thresholds. The thresholds refer to the total amount of chemical on site, in storage and in process, at any one given time. The thresholds for reporting under sections 311 and 312 are:

- Extremely hazardous substance (EHS) = **500 pounds** or the **threshold planning quantity (TPQ)**, whichever is less. EHSs and TPQs are included in EPA's List of Lists.
- Gasoline at retail gas stations if all gasoline is stored in compliant underground storage tanks = **75,000 gallons**.
- Diesel fuel at retail gas stations if all diesel fuel is stored in compliant underground storage tanks = **100,000 gallons**.
- All other OSHA hazardous chemicals (except as stated in the next bullet) = **10,000 pounds**.
- The threshold for reporting in response to a request from the SERC, LEPC, or local fire department = **zero**. Regardless of the amount of chemical on site, you must submit a report if you are asked to do so by one of these agencies.

The thresholds for most substances are in pounds. What if your substance is a liquid and you only know the number of gallons? You will need to convert gallons to pounds by using this formula:

$\text{Specific gravity of product} \times 8.33 \text{ lb/gal (weight of water)} = \text{weight of product in lb/gal}$
--

The specific gravity (also called the relative density) can be found in the "Physical & Chemical Properties" section of the MSDS. It is a unit-less number that tells how much the substance weighs relative to the weight of water. If the specific gravity is 1, the substance weighs the same as water. If it is less than 1, then the substance weighs less than water. The specific gravity is often reported as a range. Use the highest value in the calculation.

What Chemicals Are Excluded

Some substances are excluded from the hazardous chemical inventory reporting requirements. Refer to page one of the "Tier Two Instructions" for these exclusions.

Initial Report of Hazardous Chemicals

It is especially important for the safety of facility personnel, the community, and the first responders, that the first responders (usually the local fire department) know what hazardous chemicals are in your facility. Section 311 requires the submittal of an initial report of OSHA hazardous chemicals that are on site in amounts equal to or greater than the thresholds (listed above) to the SERC, LEPC, and local fire department. This report must be submitted within 3 months after the chemical threshold is first exceeded.

The initial report consists of either copies of the MSDSs or a list of the OSHA hazardous chemicals. If you submit a list, then the list must include the chemical or common name of each substance, any hazardous ingredients in the substances, and must identify the applicable hazard categories. These hazard categories are:

- Fire hazard,
- Sudden release of pressure hazard,
- Reactive hazard,
- Immediate (acute) health hazard, and
- Delayed (chronic) health hazard.

Annual Report of Hazardous Chemicals

Section 312 requires the submittal of an annual hazardous chemical inventory report to the SERC, LEPC, and local fire department. This inventory is submitted on a **Tier Two Emergency & Hazardous Chemical Inventory** form by March 1st of every year. The Tier Two report includes information about the amount and storage of all OSHA hazardous chemicals that met or exceeded the applicable thresholds during the previous calendar year. There are no fees for this report in Michigan. The Tier Two report form and instructions are available on the Internet or from the Michigan SARA Title III Program.

Remember that the Michigan SARA Title III Program receives all reports on behalf of the SERC. You can submit your Tier Two report to the Michigan SARA Title III Program electronically. If you submit electronically, you must use Michigan's Tier Two reporting software. Do *not* use EPA's software to report electronically in Michigan. Michigan's Tier Two reporting software is available on the Internet or from the Michigan SARA Title III Program. Electronic submittals should be sent as an email attachment to deq-ead-tier2@michigan.gov.

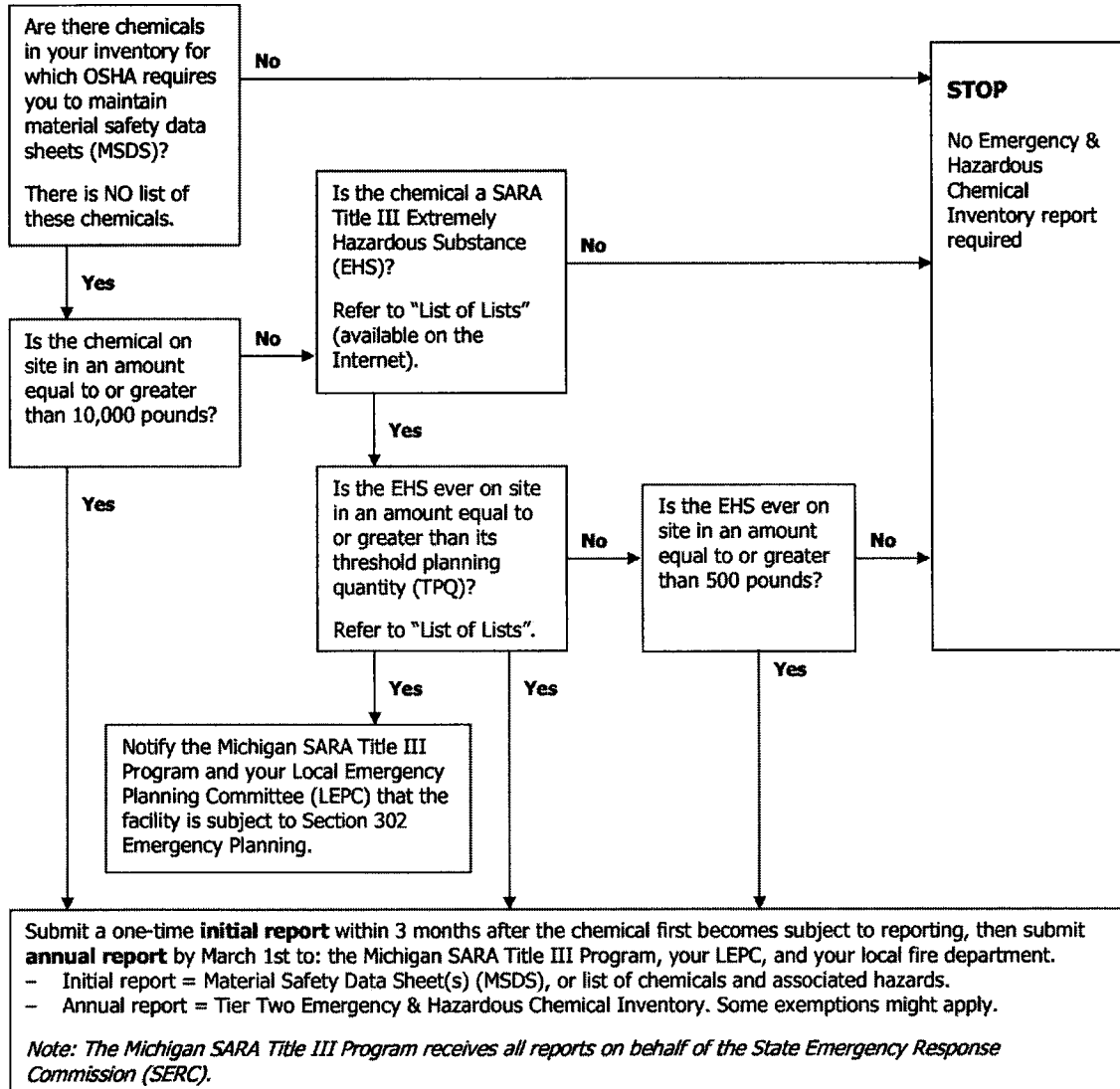
On the Internet, go to: www.michigan.gov/deq, click on "Assistance & Support Services" then "Environmental Reporting" then "SARA Title III – Hazardous Chemical Inventory."

Michigan SARA Title III Program
Department of Environmental Quality
P.O. Box 30457
Lansing, MI 48909-7957
517-373-8481
deq-ead-sara@michigan.gov



**Emergency Planning and Community Right-to-Know Act (EPCRA)
Emergency and Hazardous Chemical Inventory Reporting
SARA Title III – Sections 311 and 312**

*Title III of the Superfund Amendments & Reauthorization Act ("SARA Title III") is the
Emergency Planning and Community Right-to-Know Act (EPCRA)*



■ Michigan SARA Title III Program
Department of Environmental Quality
P.O. Box 30457
Lansing, Michigan 48909-7957
Phone: 517-373-8481
E-mail: deq-ead-sara@michigan.gov

■ U.S. Environmental Protection Agency
EPCRA Call Center
800-424-9346

■ LEPC contact information available on the Internet

(Rev. 05-03)

SARA TITLE III TIER TWO REPORT FREQUENTLY ASKED QUESTIONS

December 2003

Q. Is there a Tier Two report fee in Michigan?

A. No.

Q. Where do I send my reports?

A. Reports must be sent to three (3) places:

- 1) Your Local Emergency Planning Committee (LEPC). Current LEPC addresses for mailing Tier Two reports are posted at www.michigan.gov/deq. Click on "Assistance & Support Services," then "Environmental Reporting," and then "SARA Title III - Hazardous Chemical Inventory Reporting." If you do not have access to the internet, you may call the Michigan SARA Title III Program at 517-373-8481 for an address.
- 2) The local fire department that would respond to an emergency at your facility.
- 3) The Michigan SARA Title III Program.

For regular delivery, including certified mail:

Michigan SARA Title III Program
Department of Environmental Quality
P.O. Box 30457
Lansing, Michigan 48909-7957

For Federal Express or UPS (overnight) deliveries:

Michigan SARA Title III Program
DEQ - ESSD
Constitution Hall, 1 North
525 West Allegan
Lansing, Michigan 48933

For electronic submittals:

Send the data file with the "tr2" extension created using Michigan's Tier Two software as an e-mail attachment to: deq-ead-tier2@michigan.gov.

Q. How do I report electronically?

A. You must use *Michigan's* Tier Two software to report electronically to the Michigan SARA Title III Program. This software can be downloaded from the Internet at www.michigan.gov/deq, click on "Assistance & Support Services," then "Environmental Reporting," then "SARA Title III - Hazardous Chemical Inventory Reporting," and then "Emergency & Hazardous Chemical Inventory Report – Section 312." Instructions for downloading and using the software are posted on this site. The software has not changed since 2001, so if you filed electronically last year, simply update the data file you submitted last year using the same software. Note that the software will generate a data file on your computer that you will then submit as an e-mail attachment (see address above). You do not file the report via the Internet.

Q. Can I file electronically if I do not have access to the Internet?

A. Yes. Contact the Michigan SARA Title III Program at 517-373-8481 for a copy of the program. If you also cannot submit the data file as an e-mail attachment, you may mail a diskette with the file.

Q. Can I file reports in Michigan using the Environmental Protection Agency's (EPA's) Tier 2 Submit software?

A. No. You must use Michigan's software to file electronically in Michigan.

Q. Can I file reports in Michigan using the federal form?

- A. Yes. You can obtain copies of the federal form from the Michigan SARA Title III Program. Hard-copy submittals must be on the federal form or a similar form that contains identical content.

Q. What is the reporting period?

- A. The reporting period is the previous full calendar year (just like for your taxes). The report you submit in 2004 describes the chemicals you had on site in 2003.

Q. What is my facility ID?

- A. The facility ID is assigned by the Michigan SARA Title III Program to all facilities subject to Tier Two reporting. The numbers are assigned sequentially; the first facility was assigned an ID of 2, and the newest facilities are being assigned IDs that are over 17,000. Your ID appears in two places on your pre-printed Tier Two form: in the upper right corner and in the box under your facility identification information. The letter (M, S, or T) that appears next to the number is an internal code used by the Michigan SARA Title III Program and is not part of your facility ID.

Q. My business has been sold to another company. Do I still need to report?

- A. Yes. If you owned or operated the business during all or part of the reporting period, you must report for that time. Please also provide the Michigan SARA Title III Program with contact information (name, phone number, and address) of the new owner/operator.

Q. Do I need to report if my facility is closed and all chemicals have been removed?

- A. Yes. You must submit a final report for the days that the chemicals were on site during the reporting period. Please note on the report the approximate date that the chemicals were removed. For example, if the chemicals were removed by the first of May of the reporting period, the days on site would be 120. A note on the form would read "Chemicals removed by May (state year). No longer subject to reporting." If your facility closed and the chemicals were removed after the end of the reporting period, but before March 1 (when the report is due), please inform the Michigan SARA Title III Program of that situation in a cover letter when you submit the report for the reporting period. We will note the closure in our database and you will not need to submit a report next year.

Q. Can I change my Tier Two report after it has been submitted?

- A. Yes. Submit a new complete Tier Two report with "REVISED" written at the top. Include a letter explaining the changes.

Q. Does Michigan have requirements that are not in the federal SARA Title III regulations?

- A. No. Michigan did not adopt SARA Title III, but implements the federal regulation under an executive order from the Governor.

Q. How long must I keep copies of my Tier Two reports?

- A. The regulation does not have Tier Two record retention requirements. However, it is recommended that you keep your records for 5 years because that is the statute of limitations.

Q. I am new to this job; how do I find out more about SARA Title III?

- A. Sources of SARA Title III information include the following:
- The "Michigan Manufacturers' Guide to Environmental, Safety, and Health Regulations," third edition published June 2004 by the Department of Environmental Quality (DEQ) and the Department of Labor and Economic Growth, has a chapter devoted to SARA Title III and is available on the internet. Go to www.michigan.gov/deqsara and look for "Manufacturers' Guide" under "Quick Links." Alternatively, you can order a copy of the guidebook by calling the Environmental Assistance Center (EAC) at 800-662-9278.
 - On the internet, go to www.michigan.gov/deqsara. There is a link under "SARA Title III" to EPA's SARA Title III web site.
 - The EPA's EPCRA Call Center at 800-424-9346.
 - The Michigan SARA Title III Program at 517-373-8481, or e-mail questions to: deq-ead-tier2@michigan.govsara.

Q. Is there training available for Tier Two reporters?

- A. Check the DEQ Calendar on the Internet for environmental conferences, workshops, and training programs around the state. Go to www.michigan.gov/deg and click on "News and Events" and then "Calendar." Alternatively, you can call the EAC at 800-662-9278 for a copy of the DEQ Calendar.

EXAMPLE

Form Approved OMB No. 2050-0072 Revised June 1989

Page 1 of 1

Tier Two
HAZARDOUS CHEMICAL INVENTORY
Specific Information by Chemical

Facility Identification
Name: Willy's Widgets
Address: 333 S. Capital
City: Any Town State: MI Zip: 48909
County: Ingham
SIC Code: 3795 Dun & Brad Number:
FOR OFFICIAL USE ONLY: Date Received: 1002 ID: 1002

Owner/Operator Name
Name: Widget World Phone: (312) 555-1212 Ext.
Mailing Address: 77 W. Jackson Blvd.
City: Tinseltown State: IL Zip: 60604
Emergency Contact:
Name: Richard Willy Title: Division Manager
Phone: (517) 555-1234 x 41 24-hr. Phone: (517) 555-2222
Name: Joe Schmoor Title: Environmental Mgr.
Phone: (517) 555-1234 x 49 24-hr. Phone: (517) 555-4444

Important: Read all instructions before completing form

Reporting Period: From January 1 to December 31, 2001 ☐ Check if information below is identical to the information submitted last year.

Chemical Description	Physical and Health Hazards (check all that apply)	INVENTORY	Temperature		Storage Codes and Locations (Non-Confidential)	Optional
			Container Type	Pressure		
CAS <u>77664939</u> Trade: <u>Secret</u> Chem. Name: <u>Sulfuric Acid</u> Check all that apply: <input checked="" type="checkbox"/> Pure <input checked="" type="checkbox"/> Solid <input checked="" type="checkbox"/> Liquid <input checked="" type="checkbox"/> Gas <input checked="" type="checkbox"/> EHS EHS Name: <u>Sulfuric Acid</u>	<input type="checkbox"/> Flammable <input checked="" type="checkbox"/> Sudden Release of Pressure <input checked="" type="checkbox"/> Reactivity <input checked="" type="checkbox"/> Immediate (acute) <input checked="" type="checkbox"/> Delayed (chronic)	Max. Daily Amount (code): <u>03</u> Avg. Daily Amount (code): <u>02</u> No. of Days On-site (days): <u>365</u>	E14	R14	Storage Locations: <u>55 gal drum pure H₂SO₄ in store room.</u> <u>fork lift batteries in ware house.</u>	<input type="checkbox"/>
CAS <u>7782447</u> Trade: <u>Secret</u> Chem. Name: <u>Cryogenic oxygen</u> Check all that apply: <input checked="" type="checkbox"/> Pure <input checked="" type="checkbox"/> Solid <input checked="" type="checkbox"/> Liquid <input checked="" type="checkbox"/> Gas <input checked="" type="checkbox"/> EHS EHS Name: <u> </u>	<input type="checkbox"/> Flammable <input checked="" type="checkbox"/> Sudden Release of Pressure <input checked="" type="checkbox"/> Reactivity <input checked="" type="checkbox"/> Immediate (acute) <input checked="" type="checkbox"/> Delayed (chronic)	Max. Daily Amount (code): <u>04</u> Avg. Daily Amount (code): <u>04</u> No. of Days On-site (days): <u>365</u>	L27	A27	Storage Locations: <u>100 lb cylinders in NE corner of mfg. bldg.</u> <u>Bulk tank east of mfg. bldg.</u>	<input type="checkbox"/>
CAS <u>64742887</u> Trade: <u>Secret</u> Chem. Name: <u>Enamel paints (mineral spirits)</u> Check all that apply: <input type="checkbox"/> Pure <input checked="" type="checkbox"/> Solid <input checked="" type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name: <u> </u>	<input type="checkbox"/> Flammable <input checked="" type="checkbox"/> Sudden Release of Pressure <input checked="" type="checkbox"/> Reactivity <input checked="" type="checkbox"/> Immediate (acute) <input checked="" type="checkbox"/> Delayed (chronic)	Max. Daily Amount (code): <u>04</u> Avg. Daily Amount (code): <u>04</u> No. of Days On-site (days): <u>160</u>	C14		Storage Locations: <u>Tanks along south wall of mfg. bldg.</u>	<input type="checkbox"/>

Certification (read and sign after completing all sections):
 I certify under penalty of law that I have personally examined and am familiar with the information submitted in pages one through 1, and that based on my inquiry of those individuals responsible for obtaining the information, I believe the submitted information is true, accurate, and complete.

Name and official title of owner/operator's authorized representative: Joe Schmoor, Env. Manager
 Signature: Joe Schmoor Date signed: 2 Feb. 02

OPTIONAL ATTACHMENTS:
☒ I have attached a site plan.
☐ I have attached a list of site coordinate measurements.
☐ I have attached a description of dikes and other safeguards measures.

Tier Two EMERGENCY AND HAZARDOUS CHEMICAL INVENTORY		Facility Identification		Owner/Operator Name	
Specific Information by Chemical		Name _____ Address _____ City _____ State _____ Zip _____ County _____ SIC Code _____ Dun & Brad Number _____ Date Received: _____ ID: _____ FOR OFFICIAL USE ONLY		Name _____ Phone () _____ Ext. _____ Mailing Address _____ City _____ State _____ Zip _____ Emergency Contact Name _____ Title _____ Phone () _____ 24-hr. Phone () _____ Name _____ Title _____ Phone () _____ 24-hr. Phone () _____	
		Important: Read all instructions before completing form		<input type="checkbox"/> Check if information below is identical to the information submitted last year.	
Reporting Period From January 1 to December 31, _____					
Chemical Description		Physical and Health Hazards (check all that apply)		INVENTORY	
CAS _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____		<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure <input type="checkbox"/> Reactivity <input type="checkbox"/> Immediate (acute) <input type="checkbox"/> Delayed (chronic)		Max. Daily Amount (code) Avg. Daily Amount (code) No. of Days On-site (days)	
CAS _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____		<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure <input type="checkbox"/> Reactivity <input type="checkbox"/> Immediate (acute) <input type="checkbox"/> Delayed (chronic)		Max. Daily Amount (code) Avg. Daily Amount (code) No. of Days On-site (days)	
CAS _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____		<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure <input type="checkbox"/> Reactivity <input type="checkbox"/> Immediate (acute) <input type="checkbox"/> Delayed (chronic)		Max. Daily Amount (code) Avg. Daily Amount (code) No. of Days On-site (days)	
CAS _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____		<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure <input type="checkbox"/> Reactivity <input type="checkbox"/> Immediate (acute) <input type="checkbox"/> Delayed (chronic)		Max. Daily Amount (code) Avg. Daily Amount (code) No. of Days On-site (days)	
CAS _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____		<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure <input type="checkbox"/> Reactivity <input type="checkbox"/> Immediate (acute) <input type="checkbox"/> Delayed (chronic)		Max. Daily Amount (code) Avg. Daily Amount (code) No. of Days On-site (days)	
CAS _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____		<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure <input type="checkbox"/> Reactivity <input type="checkbox"/> Immediate (acute) <input type="checkbox"/> Delayed (chronic)		Max. Daily Amount (code) Avg. Daily Amount (code) No. of Days On-site (days)	
CAS _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____		<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure <input type="checkbox"/> Reactivity <input type="checkbox"/> Immediate (acute) <input type="checkbox"/> Delayed (chronic)		Max. Daily Amount (code) Avg. Daily Amount (code) No. of Days On-site (days)	
CAS _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____		<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure <input type="checkbox"/> Reactivity <input type="checkbox"/> Immediate (acute) <input type="checkbox"/> Delayed (chronic)		Max. Daily Amount (code) Avg. Daily Amount (code) No. of Days On-site (days)	
CAS _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____		<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure <input type="checkbox"/> Reactivity <input type="checkbox"/> Immediate (acute) <input type="checkbox"/> Delayed (chronic)		Max. Daily Amount (code) Avg. Daily Amount (code) No. of Days On-site (days)	
CAS _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____		<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure <input type="checkbox"/> Reactivity <input type="checkbox"/> Immediate (acute) <input type="checkbox"/> Delayed (chronic)		Max. Daily Amount (code) Avg. Daily Amount (code) No. of Days On-site (days)	
CAS _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____		<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure <input type="checkbox"/> Reactivity <input type="checkbox"/> Immediate (acute) <input type="checkbox"/> Delayed (chronic)		Max. Daily Amount (code) Avg. Daily Amount (code) No. of Days On-site (days)	
CAS _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____		<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure <input type="checkbox"/> Reactivity <input type="checkbox"/> Immediate (acute) <input type="checkbox"/> Delayed (chronic)		Max. Daily Amount (code) Avg. Daily Amount (code) No. of Days On-site (days)	
CAS _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____		<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure <input type="checkbox"/> Reactivity <input type="checkbox"/> Immediate (acute) <input type="checkbox"/> Delayed (chronic)		Max. Daily Amount (code) Avg. Daily Amount (code) No. of Days On-site (days)	
CAS _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____		<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure <input type="checkbox"/> Reactivity <input type="checkbox"/> Immediate (acute) <input type="checkbox"/> Delayed (chronic)		Max. Daily Amount (code) Avg. Daily Amount (code) No. of Days On-site (days)	
CAS _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____		<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure <input type="checkbox"/> Reactivity <input type="checkbox"/> Immediate (acute) <input type="checkbox"/> Delayed (chronic)		Max. Daily Amount (code) Avg. Daily Amount (code) No. of Days On-site (days)	
CAS _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____		<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure			

Form Approved OMB No. 2050-0072 Revised June 1990 Page ____ of ____

Tier Two EMERGENCY AND HAZARDOUS CHEMICAL INVENTORY Specific Information by Chemical		Facility Identification Name _____ Address _____ City _____ State _____ Zip _____ County _____ SIC Code _____ Dun & Brad Number _____ FOR OFFICIAL USE ONLY Date Received: _____ ID: _____		Owner/Operator Name Name _____ Phone () _____ Ext. _____ Mailing Address _____ City _____ State _____ Zip _____ Emergency Contact Name _____ Title _____ Phone () _____ 24-hr. Phone () _____ Name _____ Title _____ Phone () _____ 24-hr. Phone () _____	
Important: Read all instructions before completing form.		Reporting Period: From January 1 to December 31, 19 ____		<input type="checkbox"/> Check if information below is identical to the information submitted last year.	
Confidential Location Information Sheet					
CAS # _____ Chem. Name _____		Container Type _____ Temperature _____ Pressure _____		Storage Codes and Locations (Confidential) Storage Locations _____ _____ _____ _____ _____	
CAS # _____ Chem. Name _____		Container Type _____ Temperature _____ Pressure _____		_____ _____ _____ _____ _____	
CAS # _____ Chem. Name _____		Container Type _____ Temperature _____ Pressure _____		_____ _____ _____ _____ _____	
Certification (read and sign after completing all sections) I certify under penalty of law that I have personally examined and am familiar with the information submitted in pages one thru _____, and that based on my inquiry of those individuals responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete.		OPTIONAL ATTACHMENTS <input type="checkbox"/> I have attached a site plan <input type="checkbox"/> I have attached a list of site coordinate abbreviations <input type="checkbox"/> I have attached a description of dikes and other safeguard measures			
Name and official title of owner/operator's authorized representative _____		Signature _____		Date signed _____	

TIER TWO INSTRUCTIONS

SUBMISSION OF THE TIER TWO FORM (WHEN REQUESTED) IS REQUIRED BY TITLE III OF THE SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT OF 1986, SECTION 312; PUBLIC LAW 99-499, CODIFIED AT 42 U.S.C. SECTION 11022. THE PURPOSE OF THE TIER TWO FORM IS TO PROVIDE STATE AND LOCAL OFFICIALS AND THE PUBLIC WITH SPECIFIC INFORMATION ON HAZARDOUS CHEMICALS PRESENT AT YOUR FACILITY DURING THE PAST YEAR.

GENERAL INFORMATION

CERTIFICATION

The owner or operator or the officially designated representative of the owner or operator must certify that all information included in the Tier Two submission is true, accurate, and complete. On the first page of the Tier Two report, enter your full name and official title. Sign your name and enter the current date. Also, enter the total number of pages included in the Confidential and Non-Confidential Information Sheets as well as all attachments. An original signature is required on at least the first page of the submission. Submissions to the SERC, LEPC, and fire department must each contain an original signature on at least the first page. Subsequent pages must contain either an original signature, a photocopy of the original signature, or a signature stamp. Each page must contain the date on which the original signature was affixed to the first page of the submission and the total number of pages in the submission.

YOU MUST PROVIDE ALL INFORMATION REQUESTED ON THE FORM TO FULFILL TIER TWO REPORTING REQUIREMENTS.

The form may also be used as a worksheet for completing the Tier One form or may be submitted in place of the Tier One form.

WHO MUST SUBMIT THE FORM

Section 312 of Title III requires that the owner or operator of a facility submit the Tier Two form if so requested by a State emergency response commission, a local emergency planning committee, or a fire department with jurisdiction over the facility.

This request may apply to the owner or operator of any facility that is required, under regulations Implementing the Occupational Safety and Health Act of 1970, to prepare or have available a Material Safety Data Sheet (MSDS) for a hazardous chemical present at the facility. MSDS requirements are specified in the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard, found in Title 29 of the Code of Federal Regulations at §1910.1200.

The form does not have to be submitted if all of the chemicals located at your facility are excluded under Section 311(e) of Title III.

WHAT CHEMICALS ARE INCLUDED

If you are submitting Tier Two forms in lieu of Tier One, you must report the required information on this Tier Two form for each hazardous chemical present at your facility in quantities equal to or greater than established threshold amounts (discussed below), unless the chemicals are excluded under Section 311(e) of Title III. Hazardous chemicals are any substance for which your facility must maintain an MSDS under OSHA's Hazard Communication Standard.

If you elect to submit Tier One rather than Tier Two, you may still be required to submit Tier Two information upon request.

WHAT CHEMICALS ARE EXCLUDED

Section 311(e) of Title III excludes the following substances:

- (i) Any food, food additive, color additive, drug or cosmetic regulated by the Food and Drug Administration;

- (ii) Any substance present as a solid in any manufactured item to the extent exposure to the substance does not occur under normal conditions of use;
- (iii) Any substance to the extent it is used for personal, family, or household purposes, or is present in the same form and concentration as a product packaged for distribution and use by the general public;
- (iv) Any substance to the extent it is used in a research laboratory or a hospital or other medical facility under the direct supervision of a technically qualified individual;
- (v) Any substance to the extent it is used in routine agricultural operations or is a fertilizer held for sale by a retailer to the ultimate customer.

OSHA regulations, Section 1910.1200(b), stipulate exemptions from the requirement to prepare or have available an MSDS.

REPORTING THRESHOLDS

Minimum thresholds have been established for Tier One/Tier Two reporting under Title III, Section 312. These thresholds are as follows:

For Extremely Hazardous Substances (EHSs) designated under Section 302 of Title III, the reporting threshold is 500 pounds (or 227 kg.) or the threshold planning quantity (TPQ), whichever is lower.

At retail gas stations only, if all gasoline is stored in compliant underground storage tanks, the threshold is 75,000 gallons; if all diesel fuel is stored in compliant underground storage tanks, the threshold is 100,000 gallons.

For all other hazardous chemicals for which facilities are required to have or prepare an MSDS, the minimum reporting threshold is 10,000 pounds (or 4,540 kg.).

You need to report hazardous chemicals that were present at your facility at any time during the previous calendar year at levels that equal or exceed these thresholds. For instructions on threshold determinations for components of mixtures, see "What about mixtures?" on page 2 of these instructions.

A requesting official may limit the responses required under Tier Two by specifying particular chemicals or groups of chemicals. Such requests apply to hazardous chemicals regardless of established thresholds.

INSTRUCTIONS

Please read these instructions carefully. Print or type all responses.

WHEN TO SUBMIT THIS FORM

Owners or operators of facilities that have hazardous chemicals on hand in quantities equal to or greater than set threshold levels must submit either Tier One or Tier Two forms by March 1.

If you choose to submit Tier One, rather than Tier Two, be aware that you may have to submit Tier Two information later, upon request of an authorized official. You must submit the Tier Two form within 30 days of receipt of a written request.

WHERE TO SUBMIT THIS FORM

Send either a completed Tier One form or Tier Two form(s) to each of the following organizations:

1. Your State Emergency Response Commission (SERC)*.
2. Your Local Emergency Planning Committee.
3. The fire department with jurisdiction over your facility.

If a Tier Two form is submitted in response to a request, send the completed form to the requesting agency.

PENALTIES

Any owner or operator who violates any Tier Two reporting requirements shall be liable to the United States for a civil penalty of up to \$27,500 for each such violation. Each day a violation continues shall constitute a separate violation.

If your Tier Two responses require more than one page, use additional forms and fill in the page number at the top of the form.

REPORTING PERIOD

Enter the appropriate calendar year, beginning January 1 and ending December 31.

FACILITY IDENTIFICATION

Enter the full name of your facility (and company identifier where appropriate).

Enter the full street address or state road. If a street address is not available, enter other appropriate identifiers that describe the physical location of your facility (e.g., longitude and latitude). Include city, county, state, and zip code.

Enter the primary Standard Industrial Classification (SIC) code and the Dun & Bradstreet number for your facility. The financial officer of your facility should be able to provide the Dun & Bradstreet number. If your firm does not have this information, contact the State or regional office of Dun & Bradstreet to obtain your facility number or have one assigned.

OWNER/OPERATOR

Enter the owner's or operator's full name, mailing address, and phone number.

EMERGENCY CONTACT

Enter the name, title, and work phone number of at least one local person or office who can act as a referral if emergency responders need assistance in responding to a chemical accident at the facility.

Provide an emergency phone number where such emergency information will be available 24 hours a day, everyday. This requirement is mandatory. The facility must make some arrangement to ensure that a 24 hour contact is available.

IDENTICAL INFORMATION

Check the box indicating identical information, located below the emergency contacts on the Tier two form, if the current chemical information being reported is identical to that submitted last year. Chemical descriptions, hazards, amounts, and locations must be

provided in this year's form, even if the information is identical to that submitted last year.

CHEMICAL INFORMATION: Description, Hazards, Amounts, and Locations

The main section of the Tier Two form requires specific information on amounts and locations of hazardous chemicals, as defined in the OSHA Hazard Communication Standard.

If you choose to indicate that all of the information on a specific hazardous chemical is identical to what was submitted last year, check the appropriate optional box provided at the right side of the storage codes and locations on the Tier Two form. Chemical descriptions, hazards, amounts, and locations must be provided even if the information is identical to that submitted last year.

What units should I use?

Calculate all amounts as weight in pounds. To convert gas or liquid volume to weight in pounds, multiply by an appropriate density factor.

What about mixtures?

If a chemical is part of a mixture, you have the option of reporting either the weight of the entire mixture or only the portion of the mixture that is a particular hazardous chemical (e.g., if a hazardous solution weighs 100 lbs. but is composed of only 5% of a particular hazardous chemical, you can indicate either 100 lbs. of the mixture or 5 lbs. of the chemical).

The option used for each mixture must be consistent with the option used in your Section 311 reporting.

Because EHSs are important to Section 303 planning, EHSs have lower thresholds. The amount of an EHS at a facility (both pure EHS substances and EHSs in mixtures) must be aggregated for purposes of threshold determination. It is suggested that the aggregation calculation be done as a first step in making the threshold determination. Once you have determined whether a threshold for an EHS has been reached, you should report either the total weight of the EHS at your facility, or the weight of each mixture containing the EHS.

CHEMICAL DESCRIPTION

1. Enter the Chemical Abstract Service registry number (CAS). For mixtures, enter the CAS number of the mixture as a whole if it has been assigned a number distinct from its constituents. For a mixture that has no CAS number, leave this item blank or report the CAS numbers of as many constituent chemicals as possible.

If you are withholding the name of a chemical in accordance with criteria specified in Title III, Section 322, enter the generic class or category that is structurally descriptive of the chemical (e.g., list toluene diisocyanate as organic isocyanate) and check the box marked Trade Secret. Trade secret information should be submitted to EPA and must include a substantiation. Please refer to EPA's final regulation on trade secrecy (53 FR 28772, July 29, 1988) for detailed information on how to submit trade secrecy claims.

2. Enter the chemical name or common name of each hazardous chemical.
3. Check box for ALL applicable descriptors: pure or mixture; and solid, liquid, or gas; and whether the chemical is or contains an EHS.
4. If the chemical is a mixture containing an EHS, enter the chemical name of each EHS in the mixture.

EXAMPLE:

You have pure chlorine gas on hand, as well as two mixtures that contain liquid chlorine. You write "chlorine" and enter the CAS number. Then you check "pure" and "mix" -- as well as "liquid" and "gas".

PHYSICAL AND HEALTH HAZARDS

For each chemical you have listed, check all the physical and health hazard boxes that apply. These hazard categories are defined in 40 CFR 370.2. The two health hazard categories and three physical hazard categories are a consolidation of the 23 hazard categories defined in the OSHA Hazard Communication Standard, 29 CFR 1910.1200.

MAXIMUM AMOUNT

1. For each hazardous chemical, estimate the greatest amount present at your facility on any single day during the reporting period.
2. Find the appropriate range value code in Table 1.
3. Enter this range value as the Maximum Amount.

Table 1 - REPORTING RANGES

Range Values	Weight Range in Pounds	
	From...	To...
01	0	99
02	100	999
03	1,000	9,999
04	10,000	99,999
05	100,000	999,999
06	1,000,000	9,999,999
07	10,000,000	49,999,999
08	50,000,000	99,999,999
09	100,000,000	499,999,999
10	500,000,000	999,999,999
11	1 billion	higher than 1 billion

If you are using this form as a worksheet for completing Tier One, enter the actual weight in pounds in the shaded space below the response blocks. Do this for both Maximum Amount and Average Daily Amount.

EXAMPLE:

You received one large shipment of a solvent mixture last year. The shipment filled five 5,000-gallon storage tanks. You know that the solvent contains 10% benzene, which is a hazardous chemical.

You figure that 10% of 25,000 gallons is 2,500 gallons. You also know that the density of benzene is 7.29 pounds per gallon, so you multiply 2,500 gallons by 7.29 pounds per gallon to get a weight of 18,225 pounds.

Then you look at Table 1 and find that the range value 04 corresponds to 18,225. You enter 04 as the Maximum Amount. (If you are using the form as a worksheet for completing a Tier One form, you should write 18,225 in the shaded area.)

**Hazard Category Comparison
For Reporting Under Sections 311 and 312**

EPA's Hazard Categories	OSHA's Hazard Categories
Fire Hazard	Flammable Combustion Liquid Pyrophoric Oxidizer
Sudden Release of Pressure	Explosive Compressed Gas
Reactive	Unstable Reactive Organic Peroxide Water Reactive
Immediate (Acute) Health Hazards	Highly Toxic Toxic Irritant Sensitizer Corrosive
	Other hazardous chemicals with an adverse effect with short term exposure
Delayed (Chronic) Health Hazard	Carcinogens
	Other hazardous chemicals with an adverse effect with long term exposure

AVERAGE DAILY AMOUNT

1. For each hazardous chemical, estimate the average weight in pounds that was present at your facility during the year.
2. Find the appropriate range value in Table 1.
3. Enter this range value as the Average Daily Amount.

EXAMPLE:

The 25,000-gallon shipment of solvent you received last year was gradually used up and completely gone in 315 days. The sum of the daily volume levels in the tank is 4,536,000 gallons. By dividing 4,536,000 gallons by 315 days on-site, you calculate an average daily amount of 14,400 gallons.

You already know that the solvent contains 10% benzene, which is a hazardous chemical. Since 10% of 14,400 is 1,440, you figure that you had an average of 1,440 gallons of benzene. You also know that the density of benzene is 7.29 pounds per gallon, so you multiply 1,440 by 7.29 to get a weight of 10,500 pounds.

Then you look at Table 1 and find that the range value 04 corresponds to 10,500. You enter 04 as the Average Daily Amount.

(If you are using the form as a worksheet for completing a Tier One form, you should write 10,500 in the shaded area.)

NUMBER OF DAYS ON-SITE

Enter the number of days that the hazardous chemical was found on-site.

EXAMPLE:

The solvent composed of 10% benzene was present for 315 days at your facility. Enter 315 in the space provided.

STORAGE CODES AND STORAGE LOCATIONS

List all non-confidential chemical locations in this column, along with storage types/conditions associated with each location. Please note that a particular chemical may be located in several places around the facility. Each row of boxes followed by a line represents a unique location for the same chemical.

Storage Codes: Indicate the types and conditions of storage present.

- Look at Table II. For each location, find the appropriate storage type and enter the corresponding code in the first box.
- Look at Table III. For each location, find the appropriate storage types for pressure and temperature conditions. Enter the applicable pressure code in the second box. Enter the applicable temperature code in the third box.

Table II - STORAGE TYPES

CODES	Storage Conditions
A	Above ground tank
B	Below ground tank
C	Tank inside building
D	Steel drum
E	Plastic or non-metallic drum
F	Can
G	Carboy
H	Silo
I	Fiber drum
J	Bag
K	Box
L	Cylinder
M	Glass bottles or jugs
N	Plastic bottles or jugs
O	Tote bin
P	Tank wagon
Q	Rail car
R	Other

Table III - TEMPERATURE AND PRESSURE CONDITIONS

CODES	Storage Conditions
	(PRESSURE)
1	Ambient pressure
2	Greater than ambient pressure
3	Less than ambient pressure
	(TEMPERATURE)
4	Ambient temperature
5	Greater than ambient temperature
6	Less than ambient temperature but not cryogenic
7	Cryogenic conditions

EXAMPLE:

The benzene in the main building is kept in a tank inside the building, at ambient pressure and less than ambient temperature.

Table II shows you that the code for a tank inside a building is C. Table III shows you that the code for ambient pressure is 1, and the code for less than ambient temperature is 6.

You enter: **C 1 6**

Storage Locations:

Provide a brief description of the precise location of the chemical, so that emergency responders can locate the chemical easily. You may find it advantageous to provide the optional site plan or site coordinates as explained below.

For each chemical, indicate at a minimum the building or lot. Additionally, where practical, the room or area may be indicated. You may respond in narrative form with appropriate site coordinates or abbreviations.

If the chemical is present in more than one building, lot, or area location, continue your responses down the page as needed. If the chemical exists everywhere at the plant site simultaneously, you may report that the chemical is ubiquitous at the site.

Optional attachments: if you choose to attach one of the following, check the appropriate Attachments box at the bottom of the Tier Two form.

- A site plan with site coordinates indicated for buildings, lots, areas, etc. throughout your facility.
- A list of site coordinate abbreviations that correspond to buildings, lots, areas, etc. throughout your facility.
- A description of dikes and other safeguard measures for storage locations throughout your facility.

EXAMPLE:

You have benzene in the main room of the main building, and in tank 2 in tank field 10. You attach a site plan with coordinates as follows: main building = G-2, tank field 10 = B-6. Fill in the Storage Location as follows:

B-6 [Tank 2] G-2 [Main Room]

CONFIDENTIAL INFORMATION

Under Title III, Section 324, you may elect to withhold location information on a specific chemical from disclosure to the public. If you choose to do so:

- Enter the word "confidential" in the Non-Confidential Location section of the Tier Two form on the first line of the storage locations.
- On a separate Tier Two Confidential Location Information Sheet, enter the name and CAS number of each chemical for which you are keeping the location confidential.
- Enter the appropriate location and storage information, as described above for non-confidential locations.

Attach the Tier Two Confidential Location Information Sheet to the Tier Two form. This separates confidential locations from other information that will be disclosed to the public.

CERTIFICATION

Instructions for this section are included on page one of these instructions.

*Submissions to Michigan's SERC should be sent to:

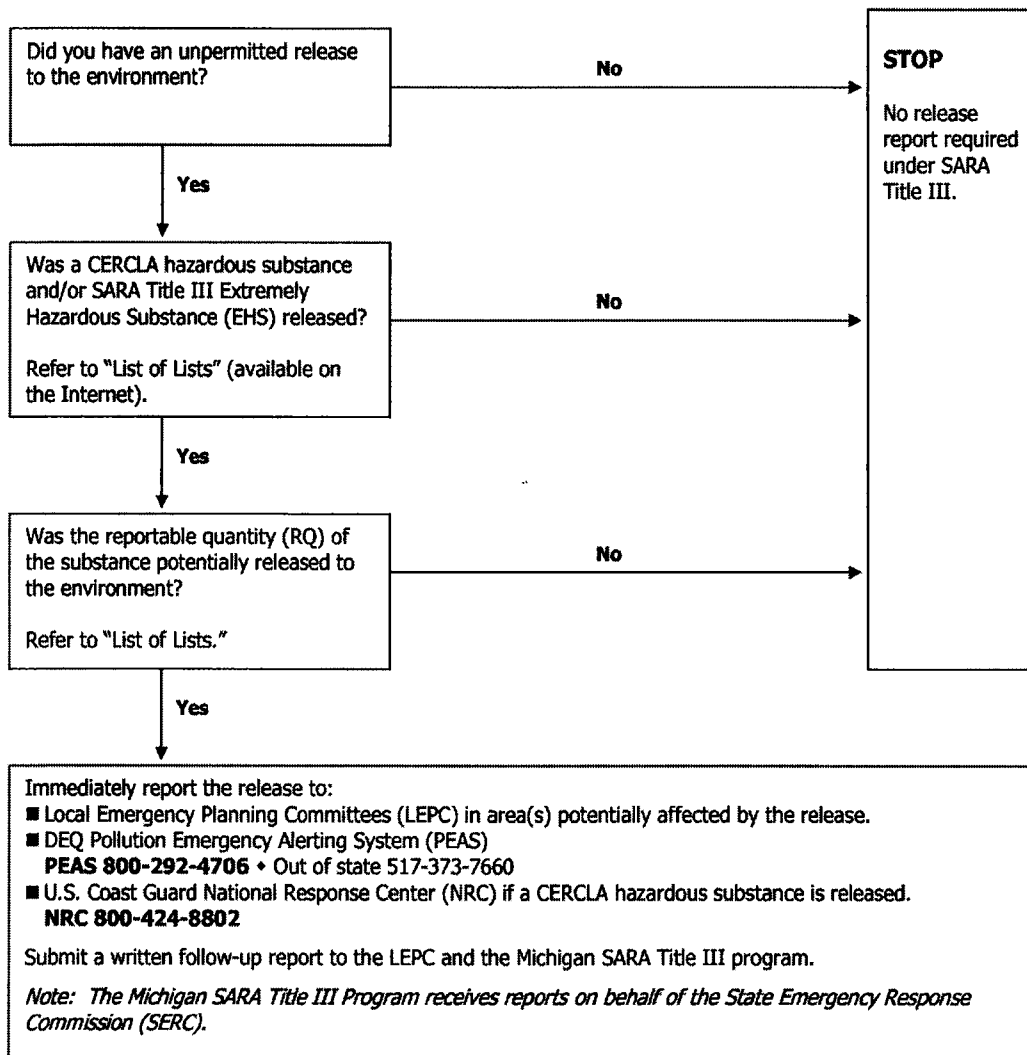
Michigan SARA Title III Program
Department of Environmental Quality
P.O. Box 30457
Lansing, MI 48909-7957

Electronic submittal information is available at
www.michigan.gov/deq
(click on Assistance & Support Services, Environmental Reporting, SARA Title III-Hazardous Chemical Inventory) or contact the Michigan SARA Title III Program
by phone: 517-373-8481
by email: deq-ead-tier2@michigan.gov



**Emergency Planning and Community Right-to-Know Act (EPCRA)
Release Reporting
SARA Title III – Section 304**

*Title III of the Superfund Amendments & Reauthorization Act ("SARA Title III") is the
Emergency Planning and Community Right-to-Know Act (EPCRA)*



For SARA Title III information on the Internet, go to www.michigan.gov/deg and click on "Assistance & Support Services," then "Environmental Reporting," then...

- SARA Title III: for Michigan's SARA Title III Program.
- SARA Title III - Hazardous Chemical Inventory: for EPCRA sections 311 and 312 and "List of Lists".
- SARA Title III - Toxic Chemical Release Inventory: for EPCRA section 313.
- Spill/Release Reporting: for EPCRA section 304 and "List of Lists".
- Emergency Planning: for EPCRA section 302 and LEPC contact information.

(Rev. 05-03)

Emergency Release Notification

SARA Title III section 304 requires that facilities report certain chemical releases to:

- The SERC by calling the Pollution Emergency Alerting System (PEAS) hotline at 800-292-4707;
- The LEPC of any area potentially affected by the release; and
- The U.S. Coast Guard National Response Center (NRC) at 800-424-8802.

Initial notification must be made within 15 minutes of discovery. A follow-up report must be submitted to the Michigan SARA Title III Program and the LEPC within 2 weeks after the release. The Department of Environmental Quality has a form on their "Spill/Release Reporting" Internet site (see address below) that may be used for the follow-up reports.

Facilities include stationary facilities, motor vehicles, rolling stock, and aircraft. The releases that must be reported are those of hazardous substances defined under the Comprehensive Environmental Response, Compensation, & Liability Act of 1980 (CERCLA) and of extremely hazardous substances (EHS) defined under SARA Title III. Each CERCLA hazardous substance and EHS has an associated Reportable Quantity (RQ). If the RQ of a substance is released to the environment (air, water, or ground) the release must be reported. The reported releases are most often accidental releases, but might also include continuous releases.

Because the regulation requires facilities to notify their LEPC of releases, it is important that the LEPC has a number for facilities to call for this purpose.

The U.S. Environmental Protection Agency (EPA) has published a consolidated list of chemicals that includes the CERCLA hazardous substances and the EHSs with their associated RQs. This document is called the "List of Lists" and was updated in October 2001. It is available in a searchable format on the Internet at www.michigan.gov/degrelease . If you do not have access to the Internet, you may contact the Michigan SARA Title III Program for a copy of this document.

LEPC Tasks:

- Appoint a community emergency coordinator. It is recommended this person be the local emergency management coordinator appointed under Michigan Act 390, the Emergency Management Act. The local emergency management coordinator is already responsible for developing and implementing emergency plans.
- Designate a 24-hour notification point (usually central dispatch or the sheriff's department) to be used by facilities in making their emergency release notifications.
- Publicize the location and telephone number of the notification point.
- Receive initial verbal notifications. Develop a system for recording and tracking the information received (i.e., date, time, and caller, required information).
- Receive written follow-up notification. Develop a system for filing notifications.
- Inform the DEQ of the notifications the LEPC has received as a check on reporting compliance.

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CHAPTER FIVE

Emergency Planning Notification

SARA Title III Section 302 Emergency Planning & Notification

“THE 302 LIST”

GUIDANCE FOR LEPCS TO ADD, REMOVE AND CHANGE INFORMATION

*IMPORTANT: The **302 List** is the official state recognized list of facilities subject to section 302 of SARA Title III. It is used by the Department of Environmental Quality (DEQ) for purposes of communicating information on SARA Title III to the State Emergency Response Commission (SERC), EPA, and local governments. The 302 List is maintained solely by the Michigan SARA Title III Program in the DEQ.*

SARA TITLE III EMERGENCY PLANNING

The emergency planning and notification requirements in SARA Title III are summarized in **Attachment A**. Information about the SARA Title III emergency planning requirements and the Michigan SARA Title III Program is available on the Internet at www.michigan.gov/deqsara.

SUBJECT FACILITIES

A facility is subject to section 302 of SARA Title III if an extremely hazardous substance (EHS) is present on site in an amount equal to or greater than the threshold planning quantity (TPQ). There are NO EXCEPTIONS. **Attachment B** is the list of EHSs and their TPQs.

It is important to realize that a facility that reports an EHS on the Tier Two report might not be subject to section 302. For example, if a facility has 800 pounds of sulfuric acid on site it must report the sulfuric acid on the Tier Two report (because the amount is greater than 500 pounds or the TPQ, whichever is lower), but it is not subject to section 302 because the amount of sulfuric acid is less than its TPQ of 1000 pounds.

ADDING A SUBJECT FACILITY

By law, the owner or operator of a subject facility must notify the State Emergency Response Commission (SERC) that they are subject to the emergency planning requirements of section 302 of SARA Title III. This notification shall be made within 60 days after the facility becomes subject to section 302.

The notification must be in writing and sent to the Michigan SARA Title III Program in the DEQ. The Michigan SARA Title III Program accepts all reports and notifications required under SARA Title III on behalf of the SERC. Reports and notifications should NOT be sent to the Michigan State Police Emergency Management Division (MSP-EMD).

The law also requires that the owner or operator of a subject facility designate a facility representative who will participate in the local emergency planning process as a facility emergency response coordinator. The owner or operator must notify the Local Emergency Planning Committee (LEPC) of the facility representative.

To meet these notification requirements, the facility owner or operator of a subject facility may complete the “Emergency Planning Notification” form in **Attachment C** and submit it to the Michigan SARA Title III Program and the LEPC.

IMPORTANT: A facility can only be added to the 302 List if the owner or operator of that facility notifies the Michigan SARA Title III Program in writing that it is a subject facility. LEPCs cannot add a subject facility to the 302 List.

If an LEPC identifies a facility that is not on the 302 List but might be subject to section 302, it can provide copies of Attachments A, B, and C to the owner or operator of that facility, ask them to review their chemical inventories to determine if they meet the requirements, and ask them to submit the notification if necessary. If contacting the facility by mail, the LEPC might consider a letter such as Example 1 at the end of this chapter. Alternatively, the LEPC can ask the Michigan SARA Title III Program to contact a specified facility regarding section 302.

REMOVING OPERATING FACILITIES FROM THE 302 LIST

A facility should be removed from the 302 List if it is no longer subject. Only the facility owner or operator can remove an *operating* facility from the 302 List. The only exception to this is for traditional family farms (not commercial farming operations) if the LEPC has verified that the farm no longer uses or has on site an EHS (usually ammonia).

A facility owner or operator may use the “Emergency Planning Notification” form in Attachment C to notify the Michigan SARA Title III Program and the LEPC that it is no longer subject to section 302.

If an LEPC identifies an operating facility that is on the 302 List but might *not* be subject, it can provide copies of Attachments A, B, and C to the owner or operator of that facility, ask them to review their chemical inventories to determine if they meet the requirements, and ask them to submit the notification if the facility is no longer subject to section 302. If contacting the facility by mail, the LEPC might consider a letter such as Example 2 at the end of this chapter. Alternatively, the LEPC can ask the Michigan SARA Title III Program to contact a specified facility regarding section 302.

It is important that the owner or operator be given all of the criteria for subject facilities so that an informed decision can be made. Even if the LEPC knows that an EHS has been removed from the facility, the owner or operator must be given the opportunity to review the EHS list to assure that there is not another EHS at the facility.

REMOVING CLOSED FACILITIES FROM THE 302 LIST

An LEPC can request the removal of a *closed* facility from the 302 List if the owner or operator cannot be located, and if it is assured that there are no extremely hazardous chemicals on the site. In this situation, the LEPC may use the “Facility Out of Business” form in **Attachment D**.

If a facility submits a “final” Tier Two hazardous chemical inventory report to the Michigan SARA Title III Program indicating that it is *out of business* and all EHSs have been removed, the facility will be removed from the 302 List.

Changing Information On The 302 List

An LEPC may request changes to the information on the list. The Michigan SARA Title III Program will make those changes. However, when the data are keyed from the facility's next Tier Two report, that change might inadvertently be reverted. For example, the most common change is the county. If the LEPC states that a certain facility is in another county, the requested change will be made. The next Tier Two report, however, might cause the facility to be put back in the original county. *(If you have requested a change and you do not see it on the 302 List, please contact the Michigan SARA Title III Program so that the discrepancy can be investigated and the problem resolved.)*

Send All Requests To Modify The 302 List To The Michigan SARA Title Iii Program

All requests to modify the list must be in writing. Please include your phone number or email address. Requests can be sent by U.S. mail to:

Michigan SARA Title III Program
Department of Environmental Quality
P.O. Box 30457
Lansing, MI 48909-7957

Requests can be sent by email to DEQ-EAD-SARA@MICHIGAN.GOV.

Do NOT send requests to modify the 302 List to the MSP-EMD. If you have questions, you may send an email to the above address, or call the Michigan SARA Title III Program at 517-373-8481.

302 PLANS

The MSP-EMD should receive all correspondence and questions from LEPCs regarding the *off-site* emergency response plans that LEPCs must write for facilities on the 302 List ("302 Plans"). The MSP-EMD tracks completed 302 Plans and provides guidance to LEPCs for writing plans.

ATTACHMENT A

**SARA TITLE III
SECTIONS 302 & 303
EMERGENCY PLANNING & NOTIFICATION**
40 CFR Part 355

Does your facility have any of the chemicals on the list of **extremely hazardous substances (EHS)** on site? If yes, then your facility might be subject to important requirements designed to help protect you, your community and emergency responders.

Emergency Planning Notification

Section 302 of Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III) requires that owners or operators of facilities notify the State Emergency Response Commission (SERC) and their Local Emergency Planning Committee (LEPC) if they have on site an EHS in an amount equal to or greater than its **threshold planning quantity (TPQ)**. The amount means the total amount of an EHS present at any one time at a facility at concentrations greater than one percent by weight, regardless of location, number of containers, or method of storage. This regulation applies even if the chemical is on site for only a day. *There are no exemptions for emergency planning.*

Facility owners or operators can complete the SARA Title III section 302 “**Emergency Planning Notification**” to notify the SERC and their LEPC that they are subject to this requirement. This same form can be used for facilities that were once subject to section 302, but have since removed (or reduced to below the TPQ) the EHS(s) on site.

The Michigan SARA Title III Program (address below) accepts all reports and notifications on behalf of the SERC. The EHS list, forms, and addresses for LEPCs are available on the Internet at www.michigan.gov/deqemergencyplan, or contact the Michigan SARA Title III Program.

Emergency Response Plan

In accordance with section 303 of SARA Title III, the LEPC must write an emergency response plan for the community that addresses possible chemical releases from facilities in the community that are subject to section 302. After providing the emergency planning notification to their LEPC, the owner or operator of a section 302 facility must inform the LEPC of any changes occurring at the facility that might be relevant to emergency planning. In addition, they must promptly provide to the LEPC any information necessary for development or implementation of the local emergency plan upon request of the LEPC.

Michigan SARA Title III Program
Department of Environmental Quality
PO Box 30457
Lansing, MI 48909-7957
517-373-8481
deq-ead-sara@michigan.gov

SARA Title III EXTREMELY HAZARDOUS SUBSTANCES October 2003			ATTACHMENT B
CAS	EHS Name	TPQ¹	
108054	Acetic acid ethenyl ester	1,000	
75865	Acetone cyanohydrin	1,000	
1752303	Acetone thiosemicarbazide	1,000/10,000	
107028	Acrolein	500	
79061	Acrylamide	1,000/10,000	
107131	Acrylonitrile	10,000	
814686	Acrylyl chloride	100	
111693	Adiponitrile	1,000	
116063	Aldicarb	100/10,000	
309002	Aldrin	500/10,000	
107186	Allyl alcohol	1,000	
107119	Allylamine	500	
20859738	Aluminum phosphide	500	
2763964	5-(Aminomethyl)-3-isoxazolol	500/10,000	
54626	Aminopterin	500/10,000	
504245	4-Aminopyridine	500/10,000	
78535	Amiton	500	
3734972	Amiton oxalate	100/10,000	
7664417	Ammonia	500	
300629	Amphetamine	1,000	
62533	Aniline	1,000	
88051	Aniline, 2,4,6-trimethyl-	500	
7783702	Antimony pentafluoride	500	
1397940	Antimycin A	1,000/10,000	
86884	ANTU	500/10,000	
1303282	Arsenic pentoxide	100/10,000	
1327533	Arsenic trioxide	100/10,000	
1327533	Arsenous oxide	100/10,000	
7784341	Arsenous trichloride	500	
7784421	Arsine	100	
2642719	Azinphos-ethyl	100/10,000	
86500	Azinphos-methyl	10/10,000	
151564	Aziridine	500	
75558	Aziridine, 2-methyl	10,000	
98873	Benzal chloride	500	
98168	Benzenamine, 3-(trifluoromethyl)-	500	
98055	Benzeneearsonic acid	10/10,000	
100141	Benzene, 1-(chloromethyl)-4-nitro-	500/10,000	
584849	Benzene, 2,4-diisocyanato-1-methyl-	500	
91087	Benzene, 1,3-diisocyanato-2-methyl-	100	
108985	Benzenethiol	500	

¹ *TPQ = Threshold Planning Quantity in pounds. For some solid chemicals, there are two TPQs (e.g. 500/10,000). The lower TPQ applies to solids in powder form, in solution, or in molten form.

SARA Title III EXTREMELY HAZARDOUS SUBSTANCES October 2003			ATTACHMENT B
CAS	EHS Name	TPQ¹	
3615212	Benzimidazole, 4,5-dichloro-2-(trifluoromethyl)-	500/10,000	
98077	Benzoic trichloride	100	
98077	Benzotrichloride	100	
100447	Benzyl chloride	500	
140294	Benzyl cyanide	500	
15271417	Bicyclo[2.2.1]heptane-2-carbonitrile, 5-chloro-6- (((methylamino)carbonyl)oxy)imino)-, (1-alpha,2-beta,4-alpha,5- alpha,6E))-	500/10,000	
1464535	2,2'-Bioxirane	500	
111444	Bis(2-chloroethyl) ether	10,000	
542881	Bis(chloromethyl) ether	100	
534076	Bis(chloromethyl) ketone	10/10,000	
4044659	Bitoscanate	500/10,000	
10294345	Borane, trichloro-	500	
7637072	Borane, trifluoro-	500	
10294345	Boron trichloride	500	
7637072	Boron trifluoride	500	
353424	Boron trifluoride compound with methyl ether (1:1)	1,000	
353424	Boron, trifluoro[oxybis(methane)]-, (T-4)-	1,000	
28772567	Bromadiolone	100/10,000	
7726956	Bromine	500	
74839	Bromomethane	1,000	
4170303	2-Butenal	1,000	
123739	2-Butenal, (e)-	1,000	
1306190	Cadmium oxide	100/10,000	
2223930	Cadmium stearate	1,000/10,000	
7778441	Calcium arsenate	500/10,000	
8001352	Campechlor	500/10,000	
8001352	Camphene, octachloro-	500/10,000	
56257	Cantharidin	100/10,000	
51832	Carbachol chloride	500/10,000	
26419738	Carbamic acid, methyl-, O-(((2,4-dimethyl-1,3-dithiolan-2- yl)methylene)amino)-	100/10,000	
1563662	Carbofuran	10/10,000	
75150	Carbon disulfide	10,000	
75445	Carbonic dichloride	10	
79221	Carbonochloridic acid, methylester	500	
108236	Carbonochloridic acid, 1-methylethyl ester	1,000	
109615	Carbonochloridic acid, propylester	500	
786196	Carbophenothion	500	
57749	Chlordane	1,000	
470906	Chlorfenvinfos	500	
7782505	Chlorine	100	
24934916	Chlormephos	500	
999815	Chlormequat chloride	100/10,000	

SARA Title III EXTREMELY HAZARDOUS SUBSTANCES October 2003			ATTACHMENT B
CAS	EHS Name	TPQ¹	
79118	Chloroacetic acid	100/10,000	
51752	2-Chloro-N-(2-chloroethyl)-N-methylethanamine	10	
107073	Chloroethanol	500	
627112	Chloroethyl chloroformate	1,000	
67663	Chloroform	10,000	
542881	Chloromethyl ether	100	
107302	Chloromethyl methyl ether	100	
3691358	Chlorophacinone	100/10,000	
542767	3-Chloropropionitrile	1,000	
1982474	Chloroxuron	500/10,000	
21923239	Chlorthiophos	500	
10025737	Chromic chloride	1/10,000	
10210681	Cobalt carbonyl	10/10,000	
62207765	Cobalt, ((2,2'-(1,2-ethanediylobis(nitrilomethylidyne))bis(6-fluorophenylato))(2-)-N,N',O,O')-	100/10,000	
64868	Colchicine	10/10,000	
56724	Coumaphos	100/10,000	
5836293	Coumatetralyl	500/10,000	
95487	o-Cresol	1,000/10,000	
535897	Crimidine	100/10,000	
4170303	Crotonaldehyde	1,000	
123739	Crotonaldehyde, (E)-	1,000	
12002038	Cupric acetoarsenite	500/10,000	
506683	Cyanogen bromide	500/10,000	
506785	Cyanogen iodide	1,000/10,000	
2636262	Cyanophos	1,000	
675149	Cyanuric fluoride	100	
108918	Cyclohexanamine	10,000	
58899	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1.alpha.,2.alpha.,3.beta.,4.alpha.,5.alpha.,6.beta.)-	1,000/10,000	
66819	Cycloheximide	100/10,000	
108918	Cyclohexylamine	10,000	
17702419	Decaborane(14)	500/10,000	
8065483	Demeton	500	
919868	Demeton-S-methyl	500	
10311849	Dialifor	100/10,000	
19287457	Diborane	100	
19287457	Diborane(6)	100	
110576	trans-1,4-Dichloro-2-butene	500	
110576	trans-1,4-Dichlorobutene	500	
111444	Dichloroethyl ether	10,000	
542881	Dichloromethyl ether	100	
149746	Dichloromethylphenylsilane	1,000	
696286	Dichlorophenylarsine	500	
62737	Dichlorvos	1,000	

SARA Title III EXTREMELY HAZARDOUS SUBSTANCES October 2003			ATTACHMENT B
CAS	EHS Name	TPQ¹	
141662	Dicrotophos	100	
1464535	Diepoxybutane	500	
814493	Diethyl chlorophosphate	500	
297972	O,O-Diethyl O-pyrazinyl phosphorothioate	500	
71636	Digitoxin	100/10,000	
2238075	Diglycidyl ether	1,000	
20830755	Digoxin	10/10,000	
55914	Diisopropylfluorophosphate	100	
115264	Dimefox	500	
309002	1,4:5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro- 1,4,4a,5,8,8a-hexahydro- (1.alpha.,4.alpha.,4a.beta.,5.alpha.,8.alpha.,8a.beta.)-	500/10,000	
60515	Dimethoate	500/10,000	
2524030	Dimethyl chlorothiophosphate	500	
75785	Dimethyldichlorosilane	500	
57147	1,1-Dimethyl hydrazine	1,000	
57147	Dimethylhydrazine	1,000	
99989	Dimethyl-p-phenylenediamine	10/10,000	
2524030	Dimethyl phosphorochloridothioate	500	
77781	Dimethyl sulfate	500	
644644	Dimetilan	500/10,000	
88857	Dinitrobutyl phenol	100/10,000	
534521	4,6-Dinitro-o-cresol	10/10,000	
534521	Dinitrocresol	10/10,000	
88857	Dinoseb	100/10,000	
1420071	Dinoterb	500/10,000	
78342	Dioxathion	500	
82666	Diphacinone	10/10,000	
152169	Diphosphoramidate, octamethyl-	100	
298044	Disulfoton	500	
514738	Dithiazanine iodide	500/10,000	
541537	Dithiobiuret	100/10,000	
541537	2,4-Dithiobiuret	100/10,000	
316427	Emetine, dihydrochloride	1/10,000	
115297	Endosulfan	10/10,000	
2778043	Endothion	500/10,000	
72208	Endrin	500/10,000	
106898	Epichlorohydrin	1,000	
2104645	EPN	100/10,000	
50146	Ergocalciferol	1,000/10,000	
379793	Ergotamine tartrate	500/10,000	
107153	1,2-Ethanediamine	10,000	
79210	Ethaneperoxoic acid	500	
1622328	Ethanesulfonyl chloride, 2-chloro-	500	
505602	Ethane, 1,1'-thiobis[2-chloro-	500	

SARA Title III EXTREMELY HAZARDOUS SUBSTANCES October 2003			ATTACHMENT B
CAS	EHS Name	TPQ¹	
16752775	Ethanimidothioic acid, N-[[methylamino)carbonyl]	500/10,000	
10140871	Ethanol, 1,2-dichloro-, acetate	1,000	
563122	Ethion	1,000	
13194484	Ethoprop	1,000	
13194484	Ethoprophos	1,000	
538078	Ethylbis(2-chloroethyl)amine	500	
107120	Ethyl cyanide	500	
107153	Ethylenediamine	10,000	
371620	Ethylene fluorohydrin	10	
151564	Ethyleneimine	500	
75218	Ethylene oxide	1,000	
542905	Ethylthiocyanate	10,000	
22224926	Fenamiphos	10/10,000	
115902	Fensulfothion	500	
4301502	Fluenetil	100/10,000	
7782414	Fluorine	500	
640197	Fluoroacetamide	100/10,000	
144490	Fluoroacetic acid	10/10,000	
62748	Fluoroacetic acid, sodium salt	10/10,000	
359068	Fluoroacetyl chloride	10	
51218	Fluorouracil	500/10,000	
51218	5-Fluorouracil	500/10,000	
944229	Fonofos	500	
50000	Formaldehyde	500	
107164	Formaldehyde cyanohydrin	1,000	
23422539	Formetanate hydrochloride	500/10,000	
2540821	Formothion	100	
17702577	Formparanate	100/10,000	
21548323	Fosthietan	500	
3878191	Fuberidazole	100/10,000	
110009	Furan	500	
13450903	Gallium trichloride	500/10,000	
86500	Guthion	10/10,000	
58899	Hexachlorocyclohexane (gamma isomer)	1,000/10,000	
77474	Hexachlorocyclopentadiene	100	
4835114	Hexamethylenediamine, N,N'-dibutyl-	500	
302012	Hydrazine	1,000	
57147	Hydrazine, 1,1-dimethyl-	1,000	
60344	Hydrazine, methyl-	500	
74908	Hydrocyanic acid	100	
7664393	Hydrofluoric acid	100	
7647010	Hydrogen chloride (gas only)	500	
74908	Hydrogen cyanide	100	
7664393	Hydrogen fluoride	100	
7722841	Hydrogen peroxide (Conc.> 52%)	1,000	

SARA Title III EXTREMELY HAZARDOUS SUBSTANCES October 2003			ATTACHMENT B
CAS	EHS Name	TPQ¹	
7783075	Hydrogen selenide	10	
7783064	Hydrogen sulfide	500	
123319	Hydroquinone	500/10,000	
13463406	Iron carbonyl (Fe(CO) ₅), (TB-5-11)-	100	
13463406	Iron, pentacarbonyl-	100	
297789	Isobenzan	100/10,000	
78820	Isobutyronitrile	1,000	
102363	Isocyanic acid, 3,4-dichlorophenyl ester	500/10,000	
465736	Isodrin	100/10,000	
55914	Isofluorophate	100	
4098719	Isophorone diisocyanate	500	
108236	Isopropyl chloroformate	1,000	
119380	Isopropylmethylpyrazolyl dimethylcarbamate	500	
556616	Isothiocyanatomethane	500	
78977	Lactonitrile	1,000	
21609905	Leptophos	500/10,000	
541253	Lewisite	10	
58899	Lindane	1,000/10,000	
7580678	Lithium hydride	100	
109773	Malononitrile	500/10,000	
12108133	Manganese, tricarbonyl methylcyclopentadienyl	100	
51752	Mechlorethamine	10	
950107	Mephosfolan	500	
2032657	Mercaptodimethur	500/10,000	
1600277	Mercuric acetate	500/10,000	
7487947	Mercuric chloride	500/10,000	
21908532	Mercuric oxide	500/10,000	
10476956	Methacrolein diacetate	1,000	
760930	Methacrylic anhydride	500	
126987	Methacrylonitrile	500	
920467	Methacryloyl chloride	100	
30674807	Methacryloyloxyethyl isocyanate	100	
10265926	Methamidophos	100/10,000	
62759	Methanamine, N-methyl-N-nitroso-	1,000	
107302	Methane, chloromethoxy-	100	
624839	Methane, isocyanato-	500	
542881	Methane, oxybis[chloro-	100	
594423	Methanesulfonyl chloride, trichloro-	500	
558258	Methanesulfonyl fluoride	1,000	
509148	Methane, tetranitro-	500	
74931	Methanethiol	500	
67663	Methane, trichloro-	10,000	
57749	4,7-Methanoindan, 1,2,3,4,5,6,7,8-octachloro-2,3,3a,4,7,7a-hexahydro-	1,000	
950378	Methidathion	500/10,000	

SARA Title III EXTREMELY HAZARDOUS SUBSTANCES October 2003			ATTACHMENT B
CAS	EHS Name	TPQ¹	
2032657	Methiocarb	500/10,000	
16752775	Methomyl	500/10,000	
151382	Methoxyethylmercuric acetate	500/10,000	
74839	Methyl bromide	1,000	
80637	Methyl 2-chloroacrylate	500	
79221	Methyl chlorocarbonate	500	
79221	Methyl chloroformate	500	
60344	Methyl hydrazine	500	
624839	Methyl isocyanate	500	
556616	Methyl isothiocyanate	500	
75865	2-Methylactonitrile	1,000	
74931	Methyl mercaptan	500	
502396	Methylmercuric dicyanamide	500/10,000	
298000	Methyl parathion	100/10,000	
3735237	Methyl phenkapton	500	
676971	Methyl phosphonic dichloride	100	
556649	Methyl thiocyanate	10,000	
75796	Methyltrichlorosilane	500	
78944	Methyl vinyl ketone	10	
1129415	Metolcarb	100/10,000	
7786347	Mevinphos	500	
315184	Mexacarbate	500/10,000	
50077	Mitomycin C	500/10,000	
6923224	Monocrotophos	10/10,000	
2763964	Muscimol	500/10,000	
505602	Mustard gas	500	
13463393	Nickel carbonyl	1	
54115	Nicotine	100	
65305	Nicotine sulfate	100/10,000	
7697372	Nitric acid	1,000	
10102439	Nitric oxide	100	
98953	Nitrobenzene	10,000	
1122607	Nitrocyclohexane	500	
10102440	Nitrogen dioxide	100	
51752	Nitrogen mustard	10	
10102439	Nitrogen oxide (NO)	100	
62759	N-Nitrosodimethylamine	1,000	
62759	Nitrosodimethylamine	1,000	
991424	Norbormide	100/10,000	
0	Organorhodium Complex (PMN-82-147)	10/10,000	
630604	Ouabain	100/10,000	
23135220	Oxamyl	100/10,000	
78717	Oxetane, 3,3-bis(chloromethyl)-	500	
75218	Oxirane	1,000	
106898	Oxirane, (chloromethyl)-	1,000	

SARA Title III EXTREMELY HAZARDOUS SUBSTANCES October 2003			ATTACHMENT B
CAS	EHS Name	TPQ¹	
75569	Oxirane, methyl-	10,000	
2497076	Oxydisulfoton	500	
10028156	Ozone	100	
1910425	Paraquat dichloride	10/10,000	
2074502	Paraquat methosulfate	10/10,000	
56382	Parathion	100	
298000	Parathion-methyl	100/10,000	
12002038	Paris green	500/10,000	
19624227	Pentaborane	500	
2570265	Pentadecylamine	100/10,000	
79210	Peracetic acid	500	
594423	Perchloromethyl mercaptan	500	
108952	Phenol	500/10,000	
64006	Phenol, 3-(1-methylethyl)-, methylcarbamate	500/10,000	
4418660	Phenol, 2,2'-thiobis[4-chloro-6-methyl-	100/10,000	
58366	Phenoxarsine, 10,10'-oxydi-	500/10,000	
696286	Phenyl dichloroarsine	500	
59881	Phenylhydrazine hydrochloride	1,000/10,000	
62384	Phenylmercuric acetate	500/10,000	
62384	Phenylmercury acetate	500/10,000	
2097190	Phenylsilatrane	100/10,000	
103855	Phenylthiourea	100/10,000	
298022	Phorate	10	
4104147	Phosacetim	100/10,000	
947024	Phosfolan	100/10,000	
75445	Phosgene	10	
732116	Phosmet	10/10,000	
13171216	Phosphamidon	100	
7803512	Phosphine	500	
2703131	Phosphonothioic acid, methyl-, O-ethyl O-(4-(methylthio)phenyl) ester	500	
50782699	Phosphonothioic acid, methyl-, S-(2-(bis(1-methylethyl)amino)ethyl) O-ethyl ester	100	
2665307	Phosphonothioic acid, methyl-, O-(4-nitrophenyl) O-phenyl ester	500	
62737	Phosphoric acid, 2-dichloroethenyl dimethyl ester	1,000	
3254635	Phosphoric acid, dimethyl 4-(methylthio) phenyl ester	500	
13194484	Phosphorodithioic acid O-ethyl S,S-dipropyl ester	1,000	
56382	Phosphorothioic acid, O,O-diethyl-O-(4-nitrophenyl) ester	100	
2587908	Phosphorothioic acid, O,O-dimethyl-5-(2-(methylthio)ethyl)ester	500	
7719122	Phosphorous trichloride	1,000	
7723140	Phosphorus	100	
10025873	Phosphorus oxychloride	500	
10026138	Phosphorus pentachloride	500	
7719122	Phosphorus trichloride	1,000	
10025873	Phosphoryl chloride	500	

SARA Title III EXTREMELY HAZARDOUS SUBSTANCES October 2003			ATTACHMENT B
CAS	EHS Name	TPQ¹	
57476	Physostigmine	100/10,000	
57647	Physostigmine, salicylate (1:1)	100/10,000	
124878	Picrotoxin	500/10,000	
110894	Piperidine	1,000	
23505411	Pirimifos-ethyl	1,000	
75741	Plumbane, tetramethyl-	100	
10124502	Potassium arsenite	500/10,000	
151508	Potassium cyanide	100	
506616	Potassium silver cyanide	500	
2631370	Promecarb	500/10,000	
107120	Propanenitrile	500	
78820	Propanenitrile, 2-methyl-	1,000	
106967	Propargyl bromide	10	
107028	2-Propenal	500	
107119	2-Propen-1-amine	500	
107131	2-Propenenitrile	10,000	
126987	2-Propenenitrile, 2-methyl-	500	
107186	2-Propen-1-ol	1,000	
814686	2-Propenoyl chloride	100	
57578	beta-Propiolactone	500	
107120	Propionitrile	500	
542767	Propionitrile, 3-chloro-	1,000	
70699	Propiophenone, 4'-amino	100/10,000	
109615	Propyl chloroformate	500	
75558	Propyleneimine	10,000	
75569	Propylene oxide	10,000	
2275185	Prothoate	100/10,000	
129000	Pyrene	1,000/10,000	
504245	Pyridine, 4-amino-	500/10,000	
54115	Pyridine, 3-(1-methyl-2-pyrrolidinyl)-,(S)-	100	
140761	Pyridine, 2-methyl-5-vinyl-	500	
1124330	Pyridine, 4-nitro-, 1-oxide	500/10,000	
53558251	Pyriminil	100/10,000	
14167181	Salcomine	500/10,000	
107448	Sarin	10	
7783008	Selenious acid	1,000/10,000	
7791233	Selenium oxychloride	500	
563417	Semicarbazide hydrochloride	1,000/10,000	
3037727	Silane, (4-aminobutyl)diethoxymethyl-	1,000	
75774	Silane, chlorotrimethyl-	1,000	
75785	Silane, dichlorodimethyl-	500	
75796	Silane, trichloromethyl-	500	
7631892	Sodium arsenate	1,000/10,000	
7784465	Sodium arsenite	500/10,000	
26628228	Sodium azide (Na(N ₃))	500	

SARA Title III EXTREMELY HAZARDOUS SUBSTANCES October 2003			ATTACHMENT B
CAS	EHS Name	TPQ¹	
124652	Sodium cacodylate	100/10,000	
143339	Sodium cyanide (Na(CN))	100	
62748	Sodium fluoroacetate	10/10,000	
13410010	Sodium selenate	100/10,000	
10102188	Sodium selenite	100/10,000	
10102202	Sodium tellurite	500/10,000	
900958	Stannane, acetoxyltriphenyl-	500/10,000	
57249	Strychnine	100/10,000	
60413	Strychnine, sulfate	100/10,000	
3689245	Sulfotep	500	
3569571	Sulfoxide, 3-chloropropyl octyl	500	
7446095	Sulfur dioxide	500	
7783600	Sulfur fluoride (SF ₄), (T-4)-	100	
7664939	Sulfuric acid	1,000	
7783600	Sulfur tetrafluoride	100	
7446119	Sulfur trioxide	100	
77816	Tabun	10	
7783804	Tellurium hexafluoride	100	
107493	TEPP	100	
13071799	Terbufos	100	
3689245	Tetraethyldithiopyrophosphate	500	
78002	Tetraethyl lead	100	
107493	Tetraethyl pyrophosphate	100	
597648	Tetraethyltin	100	
75741	Tetramethyllead	100	
509148	Tetranitromethane	500	
6533739	Thallium(I) carbonate	100/10,000	
7791120	Thallium chloride TlCl	100/10,000	
10031591	Thallium sulfate	100/10,000	
7446186	Thallium(I) sulfate	100/10,000	
6533739	Thallous carbonate	100/10,000	
7791120	Thallous chloride	100/10,000	
2757188	Thallous malonate	100/10,000	
7446186	Thallous sulfate	100/10,000	
2231574	Thiocarbazine	1,000/10,000	
556649	Thiocyanic acid, methyl ester	10,000	
39196184	Thiofanox	100/10,000	
74931	Thiomethanol	500	
297972	Thionazin	500	
108985	Thiophenol	500	
79196	Thiosemicarbazide	100/10,000	
5344821	Thiourea, (2-chlorophenyl)-	100/10,000	
614788	Thiourea, (2-methylphenyl)-	500/10,000	
86884	Thiourea, 1-naphthalenyl-	500/10,000	
7550450	Titanium chloride (TiCl ₄) (T-4)-	100	

SARA Title III EXTREMELY HAZARDOUS SUBSTANCES October 2003			ATTACHMENT B
CAS	EHS Name	TPQ¹	
7550450	Titanium tetrachloride	100	
584849	Toluene-2,4-diisocyanate	500	
91087	Toluene-2,6-diisocyanate	100	
8001352	Toxaphene	500/10,000	
1031476	Triamiphos	500/10,000	
24017478	Triazofos	500	
76028	Trichloroacetyl chloride	500	
1558254	Trichloro(chloromethyl)silane	100	
27137855	Trichloro(dichlorophenyl)silane	500	
115219	Trichloroethylsilane	500	
594423	Trichloromethanesulfenyl chloride	500	
327980	Trichloronate	500	
98135	Trichlorophenylsilane	500	
998301	Triethoxysilane	500	
75774	Trimethylchlorosilane	1,000	
824113	Trimethylolpropane phosphite	100/10,000	
1066451	Trimethyltin chloride	500/10,000	
639587	Triphenyltin chloride	500/10,000	
555771	Tris(2-chloroethyl)amine	100	
2001958	Valinomycin	1,000/10,000	
1314621	Vanadium pentoxide	100/10,000	
108054	Vinyl acetate	1,000	
108054	Vinyl acetate monomer	1,000	
81812	Warfarin	500/10,000	
129066	Warfarin sodium	100/10,000	
28347139	Xylylene dichloride	100/10,000	
58270089	Zinc, dichloro(4,4-dimethyl-5((((methylamino)carbonyl)oxy)imino)pentanenitrile)-, (T-4)-	100/10,000	
1314847	Zinc phosphide	500	

ATTACHMENT C

SARA Title III – Section 302
Emergency Planning Notification

Facility ID No. (if one has been assigned by the Michigan SARA Title III Program): _____

Facility Name: _____

Facility Address: _____

City: _____ Zip Code: _____

County: _____

Facility Emergency Coordinator: _____
(who will participate in the local emergency planning process as a facility emergency response coordinator)

Emergency Coordinator Telephone: _____

Emergency Coordinator Address (if different from facility address): _____

CHECK ONE:

☐ I have determined that the above facility **does not** have on site an Extremely Hazardous Substance as defined by SARA Title III above the threshold planning quantity and, therefore, **is not** subject to section 302 of the law.

☐ I have determined that the above facility **does** have on site an Extremely Hazardous Substance as defined by SARA Title III, _____, _____
(chemical name(s))
above the threshold planning quantity, and therefore **is** subject to section 302 of the law. In accordance with the law, the owner or operator of this facility shall: (1) inform the Local Emergency Planning Committee (LEPC) of any changes occurring at this facility that might be relevant to emergency planning; and (2) upon request of the LEPC, promptly provide to the LEPC any information necessary for development or implementation of the local emergency plan.

Signature

Title

Date

Please return to:
Michigan SARA Title III Program
Department of Environmental Quality
P.O. Box 30457
Lansing, Michigan 48909-7957
517-373-8481
and
Your LEPC

May 2003



SARA Title III - Section 302

Emergency Planning

FACILITY OUT OF BUSINESS

*This form may be used by an LEPC to remove a facility from the Section 302 list **only** if the facility is **out of business**.**

In accordance with Section 302 of SARA Title III, facilities that have extremely hazardous substances on site in amounts equal to or exceeding the threshold planning quantity must notify the SERC and LEPC that they are subject to Emergency Planning. When these facilities go out of business, they sometimes fail to notify the SERC and LEPC that they are no longer subject to Section 302. In that situation, if the fire department or LEPC verifies that the facility is **out of business** and the *extremely hazardous chemicals have been removed from the site*, the LEPC can request that the facility be removed from the Section 302 list that is maintained by the Michigan SARA Title III Program in the DEQ.

The following facility at the noted location is out of business and the extremely hazardous chemicals have been removed from the site. Please remove this facility from the list of facilities subject to Section 302 Emergency Planning.

Facility ID No.: _____

Facility Name: _____

Facility Address: _____

Facility City: _____

Submitted by: _____ County/City
Local Emergency Planning Committee

Print & Sign Name: _____

LEPC Chairperson **or** Emergency Coordinator **or** Fire Department
Personnel

Date: _____

Please return to:
Michigan SARA Title III Program
Department of Environmental Quality
P.O. Box 30457
Lansing, MI 48909-7957

*(*NOTE: Facilities that are still in business must submit their own certification that they are no longer subject to Section 302 Emergency Planning requirements.)*
September 2003

EXAMPLE 1

Date

Contact Name

Facility Name

Facility Address

City, State, Zip

Dear Contact Name:

Thank you for submitting your facility's "Tier Two Emergency and Hazardous Chemical Inventory" ("Tier Two") report required under Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III) section 312. Based on information provided in this report, your facility might also be subject to "emergency planning notification" as described in section 302 of SARA Title III (see Attachment A).

(*Chemical name*) is an extremely hazardous substance (EHS) and is listed on your Tier Two report. Section 302 of SARA Title III applies to facilities that have an EHS on site in an amount that equals or exceeds its threshold planning quantity (TPQ) (see Attachment B).

Please review your chemical inventory to determine whether or not your facility is subject to section 302 of SARA Title III. Then complete the enclosed SARA Title III section 302 "Emergency Planning Notification" (Attachment C) and return it to the (*LEPC name*) and the Michigan SARA Title III Program in the Department of Environmental Quality by (DATE). If you have recently submitted this notification, please contact us at the number below so that we can verify receipt.

For details of the SARA Title III reporting requirements, you may contact the Michigan SARA Title III Program at 517-373-8481, or visit their web site at www.michigan.gov/deqsara . If you have any questions regarding this request, please call (*name*) at (*number*) or send an email to (*email address*).

Sincerely,

Attachments

cc: Michigan SARA Title III Program

EXAMPLE 2

Date

Contact Name

Facility Name

Facility Address

City, State, Zip

Dear Environmental Coordinator:

According to records held by the Michigan SARA Title III Program, your facility is subject to the "emergency planning notification" requirements described in Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III) section 302. This regulation applies to facilities that have an extremely hazardous substance (EHS) on site in an amount that equals or exceeds its threshold planning quantity (TPQ). Refer to Attachments A & B for a summary of the regulation and a list of the EHSs and their TPQs.

We are requesting at this time that you provide to us updated information for your facility. Please review your chemical inventory to determine whether or not your facility is still subject to section 302 of SARA Title III. Then complete the enclosed SARA Title III section 302 "Emergency Planning Notification" (Attachment C) and return it to the (*LEPC name*) and the Michigan SARA Title III Program in the Department of Environmental Quality by (DATE).

To learn more about SARA Title III, you may call the Michigan SARA Title III Program at 517-373-8481 or visit their web site at www.michigan.gov/deqsara . If you have any questions regarding this request, please call (*name*) at (*number*).

Sincerely,

Attachments

cc: Michigan SARA Title III Program

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CHAPTER SIX

Planning Requirements

Section 303 of SARA Title III requires that Local Emergency Planning Committees develop a comprehensive emergency response plan. The law lists nine elements that, at a minimum, must be included in this plan.

In Michigan a two-phased approach to planning is used:

- The LEPC should build on the existing emergency operations plan or emergency action guideline (EOP/EAG), maintained by the local emergency management coordinator. Of the required elements, those common to all sites should be included in the emergency operations plan.
- The LEPC should develop off-site procedures for each facility to address the required elements that are unique to each site.

LEPC Tasks

- **Develop a good working relationship between the LEPC and the local fire departments.** The local fire departments have similar planning responsibilities under the Michigan Firefighter Right-To-Know Law and MIOSHA HAZWOPER regulations. They have already collected much information about the hazards in the community. Also, fire departments are the first responders to a hazardous material incident and therefore must be involved in emergency response planning.
- **Develop a good working relationship between the LEPC and the local emergency management coordinators.** Each county and many larger cities and townships have appointed local emergency management coordinators. The LEPC should get to know these persons. A list of these coordinators is available through the Department of State Police, Emergency Management Division. The local coordinator is responsible for the development of the local EOP/EAG, the document the LEPC needs to build on in accomplishing its planning responsibilities. As with the fire departments, the local coordinator has already compiled much information about the hazards in the community and its response procedures.
- **Develop a good working relationship with the facility coordinators.** Each site for which planning is necessary is required to name a facility coordinator. These persons are obligated to participate in the planning process. They must inform the LEPC of any changes occurring at the facility and provide information that the LEPC requests as necessary for developing and implementing the plan.
- **Research community capabilities.** The LEPC should become familiar with existing resources and expertise. This should entail gathering information from the emergency management coordinator, local health department, fire departments, industrial groups, hospitals and EMS organizations and hazardous material response teams. The LEPC needs to have a good background on local hazardous material incident response capabilities before the development of procedures can take place. In addition, the LEPC should be informed on the response procedures of state and federal agencies.
- **Review and update, if necessary, the community resource manual.** One of the elements listed in the law requires that the LEPC identify resources that can be used during a hazardous material response. The local emergency management coordinator is responsible for maintaining a comprehensive list of resources in the community. The LEPC should review this list and make suggestions for revision as necessary, based on the information it just acquired in step 4. Section 303 (b) of the law also requires that the LEPC evaluate the need for additional resources and recommend a means for providing them. The resource list also should contain sources of other resources which are not necessarily available in the community, but which may be needed during a response. Once the LEPC has reviewed the resource list it must decide the best place to list

resources. It can simply reference the resource list itself if it feels it adequately meets the responders' needs. Or, the LEPC may choose to insert a specific list in each site-specific procedure it develops.

- **Review and suggest revisions, if necessary, to the Emergency Operations Plan/ Emergency Action Guideline.** The local emergency management coordinator should have developed a hazardous material incident response section within the community's EOP/EAG. The LEPC should review this section, suggest revisions as necessary based on the information it has collected in step 4 above, and develop the site-specific procedures based on the general policy found in the EOP/EAG. It is the local emergency management coordinator's responsibility to keep the EOP/EAG up to date.
- **Obtain a copy of the Section 302 list.** SARA Title III, Section 302 requires that facilities with one or more "extremely hazardous substance" above a certain threshold amount make notification to the Michigan Emergency Planning and Community Right-to-Know Commission. The Department of Environmental Quality maintains this listing for the commission. The list is updated continuously as new sites are added and previously listed sites are removed. The LEPC should contact the DEQ if it is aware of errors or omissions. See Chapter 5 for the list of extremely hazardous substances and each threshold planning quantity. All facilities, farms, private industry, and sites owned by public agencies are subject to this reporting requirement. These are the facilities for which the LEPC must develop off-site procedures.
- **Compile existing information about facilities.** The first thing the LEPC should do when beginning to plan is to acquire information from the fire departments. Each fire department is required to perform a survey of each site in the community at which chemicals are located. The LEPC should look at these surveys and sort out the Section 302 sites from them. They should use this information for preliminary planning. The LEPC will need additional information and it can develop its own survey form to send to facilities in the community, as described in step 10. The Section 302 sites are the high priority planning sites for which LEPC planning is required.
- **Develop facility questionnaires.** Develop a form asking for the additional information needed. The LEPC may choose to develop one form for industrial sites and another for farms. A sample questionnaire is included beginning on page 6-5. The LEPC has the authority to request any information it feels it needs in accomplishing its duties. This is authorized in SARA Title III Section 303 (d).
- **Send out questionnaires.** Use the most current DEQ computer printout of Section 302 facilities as a mailing list. This printout is compiled using the information reported by these facilities. Some of it may be outdated since there is no requirement for update reporting. Before the LEPC sends out the questionnaires it should verify the list. The DEQ list also includes the name of a facility coordinator. This coordinator is required to be appointed by the facility as a contact for LEPCs. This name should also be verified. Report new information to the DEQ.
- **Perform community outreach.** Use the fire department surveys and other knowledge of the community to identify other facilities that may be subject to the reporting requirements. The LEPC can make direct contact with these facilities, or the DEQ will send a letter of inquiry if requested by an LEPC. A facility may be unaware of its reporting requirements under Section 302. Use this opportunity to provide updates to the DEQ for updating the official Section 302 list.
- **Perform a vulnerability analysis for each facility.** Using the survey and other information, figure the worst case incident scenario that could occur at each of these facilities. Or, instead of using a worst case scenario, the LEPC may want to modify its results based on the "most probable" incident.
- **Rank the facilities.** Once a vulnerability analysis has been completed for each facility, the LEPC should study the results and rank the facilities, starting with the one that poses the greatest risk to the public health and safety. One facility should be identified as the first facility for which an off-site site-specific procedure will be developed. Ideally, this should be the facility that poses the greatest threat.
- **Call together the relevant parties.** At a minimum, the fire chief of the jurisdiction in which the site is located, the facility emergency coordinator, and the local emergency management coordinator should be involved with the LEPC in developing the site-specific procedure. These are the primary response entities. They must have input into developing the plan since they will be the ones who must use it. It is also recommended to call on the chief executive of the jurisdiction to brief this person on the project and gain support.
- **Become familiar with plan review standards.** "SARA Title III Plan Submittal Procedures" contains plan standards and is available upon request from the Michigan State Police, Emergency

Management Division. This information can also be found on State Police website: www.mspemd.org. The Michigan Emergency Planning and Community Right-to-Know Commission is required to review all plans which are developed.

- **Begin developing a model plan for a facility.** The Guidance For Community Hazmat Response Plans, EMD PUB-308 may be used as a guide in developing off-site plans. The format contained in this workbook is not required; it is provided simply for guidance. The LEPC should decide on content and format and proceed accordingly.
- **Divide up the work.** The LEPC can write the site-specific procedure in a number of ways. It can divide into subcommittees and assign a portion of the procedure to each subcommittee. Or, it can assign one person to write it with review and revision privileges retained by the LEPC. In any case, it must be remembered that the intent of the law is to have all parties who may be involved in the response participate in the writing of the plan.
- **Coordinate with other jurisdictions.** The law requires that procedures be included for coordinating with other jurisdictions when the vulnerability zone overlaps jurisdictional boundaries. The LEPC may need to hold a joint meeting with another LEPC to work out issues of direction and control, protective action orders, etc.
- **Exercise the plan.** It is recommended that the LEPC hold an exercise after it has developed a draft of the site-specific procedure. Often problems with a plan do not become apparent until its use is attempted. An exercise tests the plan. An exercise can be simple or complex. See Chapter 10 for details.
- **Get plan signed.** The site-specific procedure should be signed by the several parties as shown on the sample title page in the Hazardous Materials Response Planning Workbook. This signifies that these persons have participated in the plan's development and, more importantly, that they agree with the procedures contained within it.
- **Submit the plan to the Michigan Emergency Planning and Community Right-to-Know Commission.** When the LEPC is satisfied that the site-specific procedure is adequate, it submits it to the state commission. This is done using the plan submittal sheet and the plan review guide. Both must be completed before submittal. The site-specific procedure is sent to the Department of State Police, Emergency Management Division District Coordinator. The district coordinator reviews the plan with emphasis on the emergency operations plan/emergency action guideline (EOP/EAG). The district coordinator then forwards the plan to the Emergency Management Division central office for further review of the site-specific procedure. The SERC reviews and comments on the plans; the SERC has no authority to "approve" plans.
- **Incorporate comments.** The LEPC should consider the comments as helpful tools for improving its plan. It can incorporate changes to the plan immediately or wait until the next annual review cycle.
- **Annually review and update the plan.** Section 303 (a) of SARA Title III requires the LEPC to review the plan annually, or more frequently if changes occur. It is recommended, at a minimum, that the LEPC review the emergency operations plan/emergency action plans annually. In addition, each year the emergency management coordinator, fire chief, and facility emergency coordinator should review together the site-specific procedures. Suggested changes can be sent to the LEPC as necessary.
- **Request RRT review.** The LEPC may request that the Regional Response Team, co-chaired by the EPA and the U.S. Coast Guard, review and comment on its plans. This is done by submitting the plan through the Michigan Emergency Planning and Community Right-to-Know Commission with this request attached.
- **Give Public Notice and Hold a Meeting.** The LEPC must publish a notice stating that the plan is available for review. It must also hold a public meeting to discuss the plan. The LEPC should incorporate good comments from these sources into the plan.

LOCAL EMERGENCY PLANNING COMMITTEE FACILITY QUESTIONNAIRE

INTRODUCTION

Each facility that has reported an Extremely Hazardous Substance (EHS) in an amount which exceeds its Threshold Planning Quantity (TPQ) as outlined in Section 302 of SARA Title III is being asked to complete this document. The questionnaire should benefit your internal emergency planning and will be the first step in a cooperative planning process involving your facility, the local fire department and the Local Emergency Planning Committee.

Please complete this document and return to:

I. FACILITY IDENTIFICATION

A. Facility Name: _____

B. Dept./Division where hazardous materials are kept: _____

C. Street Address: _____

D. Between Cross Streets: _____ and _____

E. City: _____ Zip Code _____

F. Township: _____ Section # _____

G. Facility Owner/Manager: _____ Office Phone: _____

H. Facility Emergency Coordinator, Alternate, and Phone Numbers

1. Coordinator Name: _____

Home Phone: _____ Office: _____

24 Hour Phone: _____

2. Alternate Name: _____

Home Phone: _____ Office: _____

I. Nature of Business: ☐ Manufacturing ☐ Storage ☐ Retail Sales ☐ Agriculture

☐ Other

II. CHEMICAL INFORMATION**A. EHS Chemical Inventory****CHEMICAL INVENTORY - Extremely Hazardous Substances**

<u>CAS #</u>	<u>Chemical Name</u>	<u>Storage Location</u>	<u>Method of Storage</u>	<u>Average Amount</u>	<u>Maximum Amount</u>	<u>Frequency/ Method of Shipment</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

B. Other Chemical Inventory**CHEMICAL INVENTORY - Other Chemicals of Concern**

<u>CAS #</u>	<u>Chemical Name</u>	<u>Storage Location</u>	<u>Method of Storage</u>	<u>Average Amount</u>	<u>Maximum Amount</u>	<u>Frequency/ Method of Shipment</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

C. Chemical Location Map

Include a facility map(s) illustrating buildings and chemical locations within the buildings.

III. CHEMICAL RELEASE DETECTION AND PROCEDURES

Describe facility methods for detecting a release and the procedures followed once a release has been detected.

1. Include equipment (automatic sensors, etc.) that has been installed, or describe the method used to detect releases, e.g., sight and smell by employees or security.

2. Include personnel that have this as one of their duties (i.e., security patrols, etc.). Describe the training they have had, their capabilities, 24 hour operations, the procedures they follow, etc.
3. Describe the steps that take place at the facility once a release has been detected. Who is notified? What does this person do? Etc.

IV. OTHER FACILITIES THAT MAY CONTRIBUTE ADDITIONAL RISK

List other facilities nearby which store or manufacture hazardous substances that may be affected by a release causing the situation to escalate.

A. Name of Facility:

B. Address:

C. Telephone Number:

(____) _____

D. Facility Emergency Coordinator:

E. Distance from primary facility:

F. Conditions that may cause additional risk (*fire, runoff, and incompatible substances*):

V. OTHER AREAS OF CONCERN

List other areas, structures, etc., such as water intakes, storm drains, environmentally sensitive areas, rivers, etc., which could contribute additional risk or be subject to risk due to an incident at this site.

A. Utilities

1. Gas Lines _____

2. Electric _____

3. Water Lines _____

4. Sanitary Sewers _____

5. Storm Sewers _____

6. Water Supply Reservoirs _____

B. Natural Amenities

1. Lakes or Streams _____

2. Parks _____

3. Other _____

C. Artificial Amenities

1. Shopping Malls _____

2. Hotels _____

3. Highways or Public Transportation _____

4. Railroads _____

5. Airports _____

6. Other Industries _____

7. Other _____

VI. RESPONSE PROCEDURES

Describe briefly the procedures the facility will implement in the event of a release.

VII. NOTIFICATION

A. Describe employee alert and warning procedures.

B. Describe any public alert and warning equipment and procedures available.

C. Describe any ongoing public/employee education process.

VIII. FACILITY EMERGENCY RESOURCES/EQUIPMENT

A. <u>Chemical Emergency Monitoring Equipment</u>	<u>Quantity</u>
weather instrument _____	
pH meters (indicate fixed or portable) _____	
combustible gas indicator _____	
colorimetric indicator tubes (i.e., draeger tubes) _____	
radiation detector _____	
chlorine kits (A.B.C.) _____	
oxygen concentration meter _____	
other monitoring equipment _____	

B. <u>Personal Protective Equipment</u>	<u>Quantity</u>
positive pressure respirators _____	
SCBA _____	
SCBA tanks (duration) _____	
mobile cascade _____	
cascade with compressor _____	
fully encapsulated suits (indicate type) _____	
full protective turnout gear _____	
boots and gloves _____	
helmets with eye protection _____	
other _____	

C. <u>Trained Emergency Response Personnel</u>	<u>Quantity</u>
First Responder Awareness _____	
First Responder Operations _____	
Specialist/Technician _____	
Emergency Medical Employees _____	
Other Expertise (chemists, engineers, etc.) _____	

D. <u>Equipment/Supplies</u>	<u>Quantity</u>
foam (indicate type) _____	
sand _____	
fire brigade: _____	
pumper _____	
ladder truck _____	
tanker _____	
rescue squad _____	
EMT _____	
paramedic _____	
other _____	

off-road vehicles _____	

communications vehicles _____

multi-purpose vehicles _____

portable radios _____

other _____

E. Is the facility willing to share any of the above equipment/supplies for an emergency not involving their facility? Equipment and supplies available for use will be listed in the County's Resource Manual.

Within your community _____ Yes _____ No

Within (county name) _____ Yes _____ No

If yes: which equipment/supplies _____ All (or) _____

Does facility expect compensation? _____ Yes _____ No
(attach any conditions for compensation)

F. Does the facility have training resources/programs?

a. Staff _____ Yes _____ No

b. Public use _____ Yes _____ No

c. Describe: _____

G. Identify additional professional/technical resources that may be called upon by the facility to support regular staff in the event of an accident:

Name	Organization	Telephone Home/Work	Specialty
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

H. Identify emergency equipment/supplies the facility has made available to your community or the entire County. This information can be integrated into the County Resource Manual.

_____	_____
_____	_____
_____	_____
_____	_____

I. Mutual aid agreements the facility has with either private or public emergency response personnel:

Company Name	Contact Person	Telephone Number
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

J. Hazardous Materials Standard Operating Procedures (SOP):

HazMat Emergency Response SOP _____

HazMat Decontamination SOP _____

HazMat Medical Surveillance SOP _____

Other emergency response plans which deal with HazMat _____

(Include copies of the facility response procedures.)

K. Contractor clean-up companies the facility has identified:

<u>Company Name</u>	<u>Contact Person</u>	<u>Telephone Number</u>
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_____	_____	_____
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CHAPTER SEVEN

Other Planning Requirements

There are three other related laws dealing with hazardous material planning. They are:

- The Michigan Emergency Management Act;
- The Michigan Firefighter Right-to-Know Act; and
- The Michigan Occupational Health and Safety Act Hazardous Waste Operations and Emergency Response rules (HAZWOPER).

The Michigan Emergency Management Act, Act 390, P.A. 1976, as amended by Act 90, P.A. 1990, has the following provisions as it relates to emergency planning:

- Each county, and municipalities of 25,000 or more in population, must appoint an emergency management coordinator who is responsible for coordinating all hazard mitigation, preparedness, response, and recovery in the jurisdiction. Municipalities of 10,000 or more population may appoint a coordinator.
- In order to be eligible for disaster contingency fund aid, the jurisdiction must have a current and adequate emergency operations plan. This plan includes a section on hazardous material incident response.
- The law contains numerous other provisions for declaring state and local states of emergency, local and state emergency powers of chief executives, and procedures for disaster assessment and response. In order to obtain a copy of this act contact the Department of State Police, Emergency Management Division.
- Other applicable MICOSHA regulations that LEPCs could consider such as Hazard Communication and Hazardous Waste Operation and Emergency Response can be found on the MICOSHA web site at [http:// www.michigan.gov/cis](http://www.michigan.gov/cis).

The attached Department of State Police Fire Marshal Bulletin OFS-09 describes the Firefighter Right-to-Know and HAZWOPER laws. This bulletin also discusses how these two laws relate to SARA Title III.

LEPC Tasks:

- Become familiar with each of these laws.
- Work with the fire departments to share information and assist each other in similar planning responsibilities.
- Coordinate with the emergency management coordinators appointed within the LEPC emergency planning district. Share information and assist each other in formulating hazardous materials response procedures.

Fire Department Hazardous Material Emergency Planning Responsibilities (01-02)

Bulletin 9

This document replaces, expands, and provides in one document a summary of the three requirements regarding emergency planning for a hazardous material incident. This bulletin was jointly developed by the Department of State Police, and former Departments of Labor and Public Health in 1987 and was revised in 1994 as a result of an Attorney General Opinion.

The three emergency planning requirements that fire departments and/or the communities they serve must meet are: 1) Firefighter Right-to-Know; 2) Hazardous Waste Operations and Emergency Response (HAZWOPER); and 3) Superfund Amendments and Reauthorization Act (SARA) Title III.

Each of these requirements is explained in detail below.

A. Firefighter Right-to-Know

Background:

Section 14i of Act 154, as amended, the Michigan Occupational Safety and Health Act (MIOSHA) requires that the chief of an organized fire department prepare and disseminate to each firefighter a plan for executing the department's responsibilities with respect to each site within their jurisdiction where hazardous chemicals are used or produced. There are no exemptions based on the quantity of chemical at the site. The purpose of this act is to ensure firefighter safety.

The administration and enforcement of this provision is under the joint jurisdiction of the Department of Consumer and Industry Services, General Industry Safety Division (517) 322-1831, and the Occupational Health Division (517) 322-1608.

Section 5p of the Michigan Fire Prevention Code (Act 207, as amended) requires that a firm handling hazardous chemicals provide the following information upon request of the fire chief:

A list of the hazardous chemicals on site and a material safety data sheet (MSDS) for each chemical on the list.

A description of the quantity and location of any hazardous chemical specified by the fire chief after a review of the list.

Steps for Implementation:

1. As a first step, the fire chief surveys all sites within the fire jurisdiction which may have hazardous chemicals on site. The purpose of the survey is to gather information on the chemicals at each site and to determine whether the site uses or produces hazardous chemicals. The survey is used as a tool for gathering the information the chief is authorized to obtain under Act 207 as described above. A suggested letter which the chief may send to each site, along with the survey form, is included as Attachment A. The survey form is included as Attachment B. Site location information, mailing addresses, etc., may be obtained from tax rolls, building inspectors, etc.
2. The survey form lists the chemical types and specifies quantities for each. Even though a plan is required at a site which uses or produces hazardous chemicals, regardless of quantity, the quantities at a site will determine if a site-specific plan must be developed or if the site can be addressed in a general plan. This is explained in further detail below.
3. The fire chief must make every effort to obtain completed surveys from each site. If a site refuses to cooperate, the chief should follow up with a second letter of request. A sample follow up letter is included as Attachment C.
4. If the site continues to be uncooperative, the chief may refer the case to the Department of Consumer and Industry Services (CIS), MIOSHA. The referral form to be used by the fire chief is included as Attachment D. MIOSHA may cite the location for failure to be in compliance with the MIOSHA Hazard Communication Standard.

5. The fire chief should keep a copy of each completed survey, even those returned showing that few or no hazardous chemicals are present at the site. In addition, the chief must keep a file of "no responses" and a file of the follow up correspondence written in an attempt to obtain a response.
6. The fire chief should have surveys on file that are not older than five years. Sites are requested to update their survey form as conditions change on the site. However, if no update has been submitted within the last five years, the chief must solicit an updated survey. Current information must be kept on file to fulfill the requirements of the law.
7. In addition, the fire chief must survey new or changed sites (change of ownership, expanded, conducting new business, etc.) as they occur. Information on new sites and additions to sites may be obtained with the assistance of the building inspector, zoning authority, tax rolls, etc.
8. When the surveys are returned, the fire chief must first separate those sites which use or produce hazardous chemicals from all others. These are the sites for which a plan (either site-specific or general) is required.
9. The chief must further separate the user and producer sites according to hazardous chemical quantity. For those sites which use or produce hazardous chemicals at or above the specified quantities, the fire chief must develop a site-specific plan. See #10 below. Other sites with hazardous chemicals under the specified quantities can be addressed by a general plan. See #11 below.
10. For those sites which use or produce hazardous chemicals at or above the specified quantities, the fire chief must develop a site-specific plan. This should be the chief's planning priority. To comply with the Firefighter Right-to-Know requirements:
 - a. Develop a site-specific plan for each site. See Attachment E for the list of planning elements which should be included in this plan.
 - b. Obtain more detailed information about each site as necessary to address the elements in Attachment E. (The survey form is used to determine the sites for which site-specific plans are necessary. Now additional information needs to be obtained for planning purposes.) The chief may request additional information under the authority of Act 207 as described above in the introduction. The chief may also use the information which is provided through the Superfund Amendments and Reauthorization Act (SARA) Title III reporting requirements. (See Section C below, starting on page 5.)
 - c. The Department of State Police, Emergency Management Division publication 308, Guidance for Community Hazmat Response Plans, contains worksheets which may be used in developing site-specific plans. Refer to Attachment F for a matrix of the planning elements cross referenced to pages in the workbook. Copies of this workbook are available through Local Emergency Planning Committees (LEPCs) or the Michigan State Police, Emergency Management Division. (See Section C starting on page 5.)
 - d. The fire chief should work with the Local Emergency Planning Committees (LEPCs) which exist within each county and in many larger municipalities. The LEPC must develop hazardous material emergency response plans for certain sites. The fire chief and the LEPC should cooperate in the development of these plans. Appropriate portions of these plans as listed in Attachment F will satisfy the Firefighter Right-to-Know requirements. (See Section C starting on page 5 for more information on LEPC requirements.)
 - e. Inform all firefighters of the existence of the Firefighter Right-To Know plans and their location. Make them available upon request.
- f. Train all potentially affected firefighters in the procedures developed for responding to the specific site. These procedures should have been developed in conjunction with site personnel and commensurate with the level of training accomplished by firefighters. In addition, the fire chief should be aware that there are other firefighter training requirements in the MIOSHA Safety Standard Parts 73 and 74 (Firefighting) and MIOSHA Hazardous Waste Operations and Emergency Response Standard (HAZWOPER).
11. The fire chief can incorporate those sites which use or produce hazardous chemicals below the specified quantities into a general plan. To comply with the Firefighter Right-to-Know requirements:

- a. Maintain a current copy of all survey forms in a systematic manner.
 - b. Inform firefighters of the existence of these forms and their location. Make them available upon request.
 - c. Train firefighters for initial operational response, informing them of procedures found in the DOT Emergency Response Guidebook or other response plan the community has developed. In addition, the fire chief should be aware that there are other firefighter training requirements in the MIOSHA Safety Standard Parts 73 and 74 (Firefighting) and MIOSHA Hazardous Waste Operations and Emergency Response Standard (HAZWOPER).
12. If a hazardous material response team is called in through a mutual aid agreement, the host fire district is obligated to provide site information to the team while en route or upon arrival at the scene. Plans do not need to be distributed to mutual aid agencies prior to response.
 13. Through these steps the fire chief has developed a plan (either general or site-specific) for those sites which use or produce hazardous chemicals as required by law. The other survey forms which show that the site is neither a user nor a producer must be retained as evidence of response. They may also be used for other local planning needs as the chief sees fit.
 14. The preceding steps show how to comply with the Michigan Firefighter Right-to-Know law. (See Attachment G for a flow chart of this process.) It is not mandatory that these steps be followed. The fire chief may choose another method to comply. However, all of the elements discussed above must be included in Firefighter Right-to-Know plans.

B. Michigan Occupational Safety and Health Administration (MIOSHA) Hazardous Waste Operations And Emergency Response (HAZWOPER)

Background:

Since the enactment of the Firefighters Right-to-Know legislation which was described above, the state and federal government have also promulgated rules to ensure firefighter and other emergency responder safety. The Superfund Amendments and Reauthorization Act (SARA) Title I requires the Occupational Safety and Health Administration (OSHA) to promulgate rules governing employer emergency planning and training for hazardous material responders. Federal OSHA final rule 29 CFR 1910.120 was promulgated in March 1990. Since Michigan is a state plan state, Michigan MIOSHA must also promulgate rules which are at least as strict as the federal rule. These Michigan regulations became effective October 31, 1991. They mirror the federal rule. The enforcement of this requirement is handled by CIS, Bureau of Safety and Regulations, Occupational Health Division (517-322-1608).

Part of this rule requires employers to train all employees who may encounter or respond to a hazardous material incident. Certain levels of training are required depending upon the anticipated level of involvement. A uniform training curriculum has been developed and is being offered statewide. Information on these training requirements is not within the scope of this Bulletin. Contact the Department of CIS, Occupational Health Division for more information on this topic.

Following is a summary of the planning requirements.

Steps for Implementation:

1. The rules state that any employer who may involve its personnel in a hazardous material incident must develop an emergency response plan.
2. See Attachment E for the list of planning elements which must be included in the MIOSHA plan.
3. The plan required under the MIOSHA rules and the plan required under Firefighter Right-to-Know requirements described above in Section A are both to ensure emergency responder safety. Therefore, one plan for each site can be developed to satisfy both requirements, assuming the required planning elements are included.
4. Some elements that are required in MIOSHA plans are generic and do not need to be included in site-specific plans. These general planning elements should be included in the department's internal standard operating procedures. Internal procedures should include detailed incident command system information, information on decontamination, use of personal protective gear, etc.

5. Site-specific plans and procedures must be available to firefighters through CAMEO or some other computer or microfiche system or they must be available in a hard copy file at the workstation.
6. The Michigan State Police, Emergency Management Division's Planning Guidance described above in Section A may be used in developing site-specific plans. Refer to Attachment F for a matrix of the planning items cross referenced to pages in the workbook.

C. Superfund Amendments and Reauthorization Act (SARA) Title III

Background:

SARA Title III federal legislation mandates that Local Emergency Planning Committees (LEPCs) be established by a state commission. The LEPC must be made up of a number of community organizations, including the fire service. These LEPCs are required to develop site-specific emergency response plans for those sites within their jurisdiction which have one or more "extremely hazardous substance" above a given threshold quantity. These plans are population protection oriented. The law states that the site owner must cooperate in the development of the plans by appointing a facility emergency coordinator and providing any information the LEPC deems is necessary in order to fulfill its planning responsibilities. Another part of the law requires the reporting of chemical inventories and the submission of MSDSs to fire departments and LEPCs. Emergency release notification requirements are also part of the law as well as community right-to-know provisions.

In Michigan, the Department of Environmental Quality (DEQ) manages the reporting and notification requirements of SARA Title III. The Department of State Police, Emergency Management Division, manages the planning elements of the law and chairs the State Emergency Response Commission (SERC), otherwise known as the Michigan Emergency Planning and Community Right-to-know Commission. The DEQ acts as vice-chair of the SERC. The SERC appoints LEPC members who are recommended by their local jurisdiction. For more information on SARA Title III contact either the Department of Environmental Quality, Environmental Assistance Division at (517) 335-2419 or the Department of State Police, Emergency Management Division at (517) 333-5049.

Steps for Implementation:

1. The fire chief of the department which has jurisdiction over the site should participate with the LEPC in the development of these site-specific standard operating procedures.
2. See Attachment E for the list of planning elements which must be included in the LEPC plan.
3. By completing these procedures and distributing appropriate portions to firefighters the chief's firefighter safety requirements as described under Sections A and B above are partially satisfied. (Internal procedures and training must still be completed to fully satisfy firefighter safety requirements.)
4. The Michigan State Police, Emergency Management Division's Guidance, described above was developed to assist LEPCs in developing these site-specific plans. These workbooks have been distributed to LEPCs. See Attachment F for a matrix of planning items cross referenced to pages in the workbook.
5. The site-specific plans should be considered part of the all-hazard Emergency Operations Plan developed for each jurisdiction. The Emergency Operations Plan should reflect the overall policy the jurisdiction will follow in responding to an incident. All other plans and procedures should be consistent with the Emergency Operations Plan. The Emergency Management Coordinator for each jurisdiction maintains this plan.
6. The Emergency Management Coordinator appointed for each jurisdiction is also part of the LEPC and is responsible for assisting in the development of the site-specific plans.

Conclusion:

There are three emergency planning requirements: Firefighter Right-to-Know, MIOSHA rules, and SARA Title III. Each of these has been explained in the sections above. Each requires that specific items be included in plans. However, many of the required planning elements are similar or duplicated. Attachment E provides a specific listing of planning elements required under each law for informational purposes. Attachment F is a summary of the required items cross referenced to a page in the workbook on how to satisfy that item.

The fire chief can meet these requirements by developing the following documents and ensuring the required planning elements are incorporated:

1. Site-specific firefighter safety plans for all sites within the fire district which use or produce hazardous chemicals at or above the quantity specified on the survey form.
2. Good internal standard operating procedures for the department.
3. Participate with the Local Emergency Planning Committee (LEPC) in the development and completion of site-specific procedures for Title III sites.
4. Ensure that all plans are consistent with the overall policy for responding to a hazardous material incident as described in the jurisdiction's Emergency Operations Plan.

Retain on file a copy of the survey form for all other sites.

Attachment A - Bulletin 9 - Fire Department Hazardous Material Emergency Planning Responsibilities (Rev. 12-00)

Date: _____

Firm Name: _____

Address: _____

Dear Facility Owner/Operator:

Section 14i of the Michigan Occupational Safety and Health Act (MIOSHA), Act No. 154 of the Public Acts of 1974, as amended, requires that each fire chief prepare and disseminate to each firefighter information on facilities within their jurisdiction that use or produce hazardous chemicals.

The Michigan Fire Prevention Code, Act No. 207, P. A. of 1941, as amended, requires that any firm handling hazardous chemicals provide information to the fire chief upon request. This allows the fire department to gather information on each chemical so that the requirements of MIOSHA can be met.

To assist our department in fulfilling its responsibilities under MIOSHA, we are requesting that you complete the enclosed survey. If your firm does not use or produce any hazardous chemicals (see attached definitions), you still need to complete the form. This information can be beneficial to you and your firefighting personnel when responding to a fire or other emergency at your facility.

If the information you provide indicates that your firm is a user or producer of hazardous chemicals and the chemicals on site meet or exceed the specified quantities, we will be contacting you for further information. This may include material safety data sheets (MSDS); a listing of the hazardous chemicals by name, along with the greatest amount that may be located on site at one time; and the actual locations of the chemicals at your facility.

Please complete the survey and forward to *(insert your department's address)* within ten days. All surveys, including negative responses, will be kept on file for future use and to satisfy MIOSHA requirements. If there is a change concerning the use, production or quantity of hazardous chemicals at your firm in the future, please contact this department so that we may update our files.

If you have any questions, please contact *(insert name of department's contact)* at *(insert department's phone number)*. Thank you for your cooperation.

Fire Chief

Fire Department

Attachment B - Bulletin 9 - Fire Department Hazardous Material Emergency Planning Responsibilities (Rev. 12-00)

Chemical Survey

Information: This survey is requested to determine the quantity of specific chemical groups used, produced or stored in your facility. Fire Chiefs are required to collect chemical data under the Michigan Occupational Safety and Health Act (MIOSHA), P. A. 154 of 1974, as amended, and the Fire Prevention Code, PA 207 of 1941, as amended.

Instructions: Indicate below whether your site uses or produces any of the chemical types listed. Check all the categories that apply when a chemical has more than one characteristic, (example: both a Class 3 flammable and a Class 6 poison), see definitions. Each chemical group listed in this survey includes a specified quantity. Indicate the quantity category for each chemical group on your site. To complete this survey, you may need to reference material Safety Data Sheets, SARA Title III reporting forms, along with the attached definitions.

(Note: You must complete each line. Do not leave blanks. If you do not use a chemical group listed, mark "DO NOT HAVE" box.)

When substantial changes occur in the quantity or type of chemical use, manufacture or related storage, a revised survey must be submitted to the Fire Chief. In addition, a revised survey will be requested periodically as the Fire Chief determines necessary, but a least once every five years.

This survey may be followed-up with a request for more detailed information. This may include a request for Material Safety Data Sheets, chemical lists maintained under the Employee Right to Know provisions of MIOSHA and other information.

Please return this questionnaire as indicated in the attached cover letter.

This site is: (please circle one)

Chemical User - (Chemicals used in activities on site)

Chemical Producer - (Chemicals manufactured at this site, includes packaging)

Other - Circle this box if chemicals are stored on site, but not used or produced. Please Specify (Examples: service station, retail store, storage facility)

	Date Completed: _____
Name of Premises:	_____
Site Address:	_____

Site Telephone:	_____

Emergency Contacts: (Include Private Alarm/Security Companies)		
Name/Title	Business Telephone	Home Number

Respond based on the maximum quantity you would have on-site, including storage, at any one time during the year.

Check 1 Box for Each Category				
Chemical type	Specified quantity	Have at or Above Specified Quantity	Have but Below Specified Quantity	Do Not Have
Class 1				
Explosives & Blasting Agents (Not including Class C Explosives)	Any Quantity			
Class 2				
Poison Gas	Any Quantity			
Flammable Gas	100 gal. water capacity			
Non-Flammable Gas	100 gal. water capacity			
Class 3				
Flammable Liquid	1,000 gallons			
Combustible Liquid	10,000 gallons			
Class 4				
Flammable Solid (Dangerous when wet)	100 lbs.			
Flammable Solid	500 lbs.			
Spontaneously Combustible Material	100 lbs.			
Class 5				
Oxidizer	500 lbs.			
Organic Peroxide	250 lbs.			
Class 6				
Poison	500 lbs.			
Irritating Material: Liquid	1,000 gal.			

Class 7				
Radioactive Material (Yellow III Label)	Any Quantity			
Class 8				
Corrosives: Liquid	1,000 gal.			
Corrosives: Solid	500 lbs.			
No DOT Category				
Known Human Carcinogen	Any Category			

Please return within ten days to the official indicated in the cover letter attached to this survey.

HAZARDOUS CHEMICAL DEFINITIONS

Carcinogen - A chemical is considered to be a carcinogen if: 1) it has been evaluated by the International Agency for Research on Cancer (IARC) and found to be a carcinogen or potential carcinogen; or 2) it is listed as a carcinogen or potential carcinogen in the Annual Report on Carcinogens published by the National Toxicology Program (NTP) (latest edition), or 3) it is regulated by OSHA as a carcinogen.

Combustible liquid - Any liquid having a flashpoint at or above 100 degrees F (37.8 degrees C), but below 300 degrees F (93.3 degrees C), except any mixture having components with flashpoints of 200 degrees F (93.3 degrees C), or higher, the total volume of which make up 99 percent or more of the volume of the mixture.

Corrosives - liquid and solid - Any liquid or solid that causes visible destruction or irreversible damage to human skin tissue. Also, it may be a liquid that has a severe corrosion rate on steel.

Explosives and blasting agent - (not including Class C explosives) - "Explosive" means a chemical that causes a sudden, almost instantaneous release of pressure, gas, and heat when subjected to sudden shock, pressure, or high temperature. "Blasting Agent" means a material designed for blasting. It must be so insensitive that there is very little probability of: 1) accidental explosion, or 2) going from burning to detonation.

Flammable liquid - Any liquid having a flashpoint below 100 degrees F (37.8 degrees C), except any mixture having components with flashpoints of 100 degrees F (37.8 degrees C) or higher, the total of which makes up 99 percent or more of the total volume of the mixture.

Flammable gas - A gas that can burn with the evolution of heat and a flame. Flammable compressed gas is any compressed gas of which: 1) a mixture of 13 percent or less (by volume) with air is flammable, or 2) the flammable range with air is under 12 percent.

Flammable solid - A solid, other than a blasting agent, or explosive, that is liable to cause fire through friction, absorption or moisture, spontaneous chemical change, or retained heat from manufacturing or processing, or which can be ignited readily and when ignited burns so vigorously and persistently as to create a serious hazard.

Flammable solid (dangerous when wet) - Water Reactive Material (Solid) - Any solid substance (including sludges and pastes) which react with water by igniting or giving off dangerous quantities of flammable or toxic gases. (Sec.171.8)

Irritating material - liquid and solid - A liquid or solid substance which, upon contact with fire or air, gives off dangerous or intensely irritating fumes.

Non-flammable gas - Any compressed gas other than a flammable compressed gas.

Organic peroxide - An organic compound that contains the bivalent -O-O structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.

Oxidizer - A chemical that initiates or promotes combustion in other materials, thereby causing fire either of itself or through the release of oxygen or other gases. Example being: chlorate, permanganate, inorganic peroxide, or a nitrate, that yields oxygen readily.

Poison - Less dangerous poisons, toxic - substances, liquid or solids (including pastes and semi-solids) so toxic to man that they are a hazard to health during transportation.

Poison gas - Extremely dangerous poisons, highly toxic poisonous gases or liquids - a very small amount of the gas, or vapor of the liquid, mixed with air is dangerous to life.

Radioactive material (yellow 111 label) - Any material, or combination of materials, that spontaneously gives off ionizing radiation.

Spontaneously combustible material - (Solid) A solid substance (including sludges and pastes) which may undergo spontaneous heating or self-burning under normal transportation conditions. These materials may increase in temperature and ignite when exposed to air.

Attachment C - Bulletin 9 - Fire Department Hazardous Material Emergency Planning Responsibilities (Rev. 12-00)

Firm Name		Date	
Address			

Second Request

Dear Facility Owner/Operator:

The attached survey has been previously sent to your firm. To date we have not received a completed form. Please complete the survey as accurately as possible and return it to my office within ten days. Note that you must complete and return the survey even if you respond "do not have" to all categories.

Fire Chiefs are required to collect chemical data under the Michigan Occupational Safety and Health Act (MIOSHA), P. A. 154 of 1974, as amended, and the Fire Prevention Code, P.A 207 of 1941, as amended. The information to complete this form should be readily available from your firm's records and materials you maintain for your Employee Right-to-Know Program as required by MIOSHA.

The requested information will be used to assure our firefighters are prepared for any chemical hazards they may encounter if called to your facility. It will result in increased safety for our firefighters and better fire protection for your firm.

Failure to respond to this survey may result in a referral to MIOSHA for follow-up action. A comprehensive hazard communication program is required by MIOSHA. If you have been unable to obtain Material Safety Data Sheets for chemicals used at your facility, you may contact MIOSHA for assistance.

Thank you.

Fire Chief

Fire Department

Attachment D - Bulletin 9 - Fire Department Hazardous Material Emergency Planning Responsibilities (Rev. 12-00)

**Hazardous Chemical Referral to
General Industry Safety Division
Michigan Department of Consumer and Industry Services
Bureau of Safety and Regulation
7150 Harris Drive
P. O. Box 30643
Lansing, Michigan 48909-8143**

Referral From (Fire Department Name)		
Street Address, City, Zip Code		
PLEASE COMPLETE AS MUCH INFORMATION AS POSSIBLE		
Name of Employer Firm Telephone No.		
Job Site Street Address, City, Zip		
Nature of Business	SIC #	No. Of Employees
Location of Hazard If Known (Building, Floor, Dept. No., Section)		
Contact Person Title		
Exposure in Question (describe contaminant or hazards suspected)		
Remarks		
Has the firm been informed that this referral is being made? (Please circle one) Yes No		
Investigation Results and Action Taken (to be used by MIOSHA to respond to your referral)		

Signature _____

Attachment E - Bulletin 9 - Fire Department Hazardous Material Emergency Planning Responsibilities (Rev. 12-00)

REQUIRED PLANNING ELEMENTS

Firefighter Right-to-Know

Each site-specific plan should include the following:

1. An emergency call list.
2. A site map. (For large sites it may be necessary to have a map for particular sections, in addition to a general map.)
3. A list of chemicals on site and their quantities.
4. A response data information sheet listing specific information about each chemical.
5. Specific response procedures for the site.
6. A description of the training necessary for responding to an incident at the site.

MIOSHA HAZWOPER

This plan must include the following:

1. Planning and coordination with outside parties.
2. Personnel roles, lines of authority, and communication.
3. Emergency recognition and prevention.
4. Safe distances and places of refuge.
5. Site security and control.
6. Evacuation routes and procedures.
7. Decontamination procedures.
8. Emergency medical treatment and first aid.
9. Emergency alerting and response procedures.
10. Critique of response and follow-up.
11. Personal protection equipment and emergency equipment.

SARA Title III

The LEPC plan must include the following (as summarized):

1. Identification of facilities subject to the emergency planning requirements and identification of transportation routes likely to be used in transporting hazardous substances.
2. Methods and procedures to be followed by facility owners and local responders.
3. Designation of a facility emergency coordinator and a community emergency coordinator.

4. Procedures for providing notification by the facility and the community emergency coordinator to emergency personnel and the public.
5. Methods for determining the occurrence of a release and the area likely to be affected.
6. A description of emergency equipment and facilities in the community and at the facility.
7. Evacuation plans.
8. Training programs.
9. Methods and schedules for exercising the plan.

Attachment F - Bulletin 9 - Fire Department Hazardous Material Emergency Planning Responsibilities (Rev. 12-11-01)

Required Planning Elements
Cross Referenced To The Michigan State Police, Emergency Management
Division's Haz/Mat Planning Workbook

Although the workbook was developed to meet SARA Title III requirements, it may be used as an example in developing other haz/mat planning documents. The agency is responsible for ensuring all necessary information pertaining to the requirement is met.

Planning Element	Firefighter RTK	OSHA	SARA Title III
Site Map	pg. 11		pg. 11
Chemical List	pg. 10		
Chemical Response Info.	pg. 10	pg. 10	
Facility Coordinator			pg. 10
Transportation Routes			pg. 12
Notification by Site			pg. 12
Facility Procedures			pg. 12
Facility Resources			pg. 12
Release Recognition and Prevention		pg. 12 + internal procedures	pg. 12
Emergency Call List	pg. 10, 12	pg. 10, 12	pg. 12
Personnel Roles		pg. 8 + internal procedures	
Incident Command		pg. 8 + internal procedures + local EOP/EAG	
Personal Prot. Equip.		8 + internal procedures	
Safe Distances		internal procedures	
Site Security		pg. 12	
Decontamination		8 + internal procedures	
Medical Treatment		8 + internal procedures	
Community Coordinator			pg. 9
Community Resources		pg. 12	pg. 12
Response Procedures	pg. 12	pg. 12	pg. 12
Public Warning			pg. 12
Risk Area Determination			pg. 11
Evacuation Plan		pg. 11	pg. 11 + local EOP/EAG

Chapter 7: Other Planning Requirements

Critique of Response		8 + internal procedures	
Training Programs	pg. 8 + internal procedures		pg. 8 + internal procedures
Exercise Schedule			pg. 7 + local EOP/EAG

* The local Emergency Operations Plan (EOP)/Emergency Action Guidelines (EAG) is available at the local Emergency Management office.

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CHAPTER EIGHT

Community Right-To-Know Requirements

SARA Title III requires several actions to encourage public involvement. These include:

- Designation of an official to serve as coordinator for information;
- Development of procedures for receiving and processing public requests for information;
- Posting of notices of meetings and making the emergency response plan and facility reports available to the public; and
- Public meetings to discuss the emergency response plan.

LEPC Tasks:

- Appoint someone to serve as information coordinator. At a minimum, this person will be responsible for filing all Section 302, 304, 311 and 312 reports and for making these available upon request. This person could also fulfill the larger role of coordinating all public outreach activities initiated by the LEPC as identified below under additional optional tasks.
- Ensure that the LEPC bylaws, which are required to contain the following, are carried out: provisions for public notification of committee activities, public meetings to discuss the emergency plan, public comments, response to such comments by the committee, and distribution of the emergency plan.
- Develop written procedures for handling the receipt and processing of requests for information from the public. These procedures should follow the Michigan Freedom of Information Act. Usually the LEPC adopts existing procedures from the county or municipality.
- Fulfill requests from the public for MSDSs (Section 311). If the facility has only submitted a list of chemicals to comply with Section 311 and the person wants an actual MSDS, the LEPC must request, obtain and provide an MSDS from the facility.
- Fulfill requests from the public for Tier forms (Section 312). If the facility has only submitted a Tier I form and the person wants Tier II information, the LEPC must request, obtain and provide the Tier II form from the facility. The facility has 30 days to provide a Tier II form from the LEPC. Do not provide the specific chemical location if the facility has used the Confidential Location Information Form.
- Ensure a system is in place for handling confidential facility information. Section 322-324 of Title III provides for trade secrets and other information to be withheld from the public. The LEPC may wish to "red mark" the Tier forms and site-specific plans that contain confidential information and block out certain information in the plans that are placed in libraries, etc.
- Make sure the emergency release notifications are logged and available for public distribution.
- Publish annually in local newspapers that the plan, reporting forms, and emergency release follow-up notices are available for public review at a designated location.
- Become familiar with the Michigan Freedom of Information Act. In summary it states that the public has a right to inspect, copy, or receive items through an oral or written request. The desired document(s) must be clearly identified. The public shall be furnished with a reasonable opportunity for inspection of documents at during usual business hours. A fee may be charged but must be limited to costs for actual search, duplicating, and mailing, including labor. The request must be responded to within 5 business days after the day the request is received. If an extension is necessary, this must be so stated within the 5 days. The extension can be no more than 10 business days. Trade secret and confidential provisions apply.
- Hold a public meeting to discuss the plan. Remember the Open Meetings Act and Americans with Disabilities Act requirements when considering a location.

Additional Optional Tasks:

- Develop a package to be mailed to all businesses and industries in the community describing the provisions of the law and asking their support in complying.
- Develop a package to be mailed to all farms in the community describing the provisions of the law and asking their support in complying.
- Form neighborhood "citizen action committees" around each Section 302 facility for which emergency planning is necessary, and involve this group in the development of the site-specific procedures.
- Speak at various service groups and other association meetings about Title III and the LEPC's activities. Such groups should include neighborhood associations.
- Develop a pamphlet to be distributed to citizens outlining the hazards in the community and the provisions contained in the emergency plan, including expected public actions.
- Develop a slide show, public service TV or radio announcements, and written articles for the newspaper describing the LEPC, its function, and the actions the public should take in the event of an emergency.
- Develop a local press release dealing with the toxic chemical release data collected and compiled by the DEQ.
- Hold a "Hazardous Material Awareness Week" and set up displays in malls, schools, etc., issue press releases, invite the public to view a response exercise at a facility.
- Hold a facility coordinators conference.
- Hold a conference of potentially affected institutions (schools, hospitals, factories, stadiums, etc.) located within the vulnerable zone of 302 facilities.
- List the LEPC phone number in the telephone directory.
- Develop an LEPC web page.

CHAPTER NINE

Training Requirements

This chapter provides information on:

- Training for LEPC members; and
- Training for emergency responders in the community.

Training For LEPC Members

- The Michigan State Police, Emergency Management Division offers a very informative course for members of an LEPC. There is no cost to attend the course. *Introduction to Emergency Management*, which is held usually in Lansing at the State Police Training Academy. The Michigan State Police, Hazardous Materials Training Center also provides training courses for LEPC members for a fee. The Hazardous Materials Training Center offers a two- day course, *Emergency Response Planning for Hazmat incidents* which is highly recommended for LEPC members. Contact the local management coordinator for the **Emergency Management and Hazmat Training** catalog for course schedules.
- The Michigan State Police, Emergency Management Division is available for on-site briefings by LEPC request. Contact your area's MSP-EMD District Coordinator for assistance.

Training For Emergency Responders

- Training for emergency responders must comply with state and federal standards. SARA Title I requires the Occupational Safety and Health Administration (OSHA) to make known rules governing employer emergency planning and training for hazardous materials responders (HAZWOPER). Michigan is a state plan state, which means that the Michigan Occupational Safety and Health Administration (MIOSHA) must make known the rules that are at least as strict as the federal rules. These Michigan rules became effective October of 1991 and are currently known as CIS standard Part 432.
- These rules state that employers are responsible for training their employees to a level commensurate with duties expected to be performed by the employees.
- Michigan created the "Hazardous Materials Training Curriculum Committee" to develop a curriculum based on the MIOSHA rule and on the National Fire Protection Association (NFPA) 472 standard for training.

The curriculum is as follows:

- First Responder Awareness - a 4-6 hour course for responders likely to be first on the scene of a hazardous material incident. It is the policy of MIOSHA that at least all police, fire and emergency medical service personnel are trained to this level.
- First Responder Operations - a 24-hour course for those emergency responders who may be required to deal with a release of hazardous materials. It is the policy of MIOSHA that all firefighters be trained to at least this level.
- Hazardous Material Technician - an 80-hour course (broken down into two 40-hour courses) for those individuals who respond to releases for the purpose of stopping the release. All public sector HAZMAT team members should be trained to this level.
- Hazardous Materials Specialist - a response person who will respond with and provide support to hazardous material technicians, and whose duties require a more directed or specific knowledge of the various substances & containers to which they may be called upon to mitigate. Selected HAZMAT team members must be trained to this level. Training courses are required in addition to the 80-hours of technician training to meet these specific requirements (CAMEO, Marplot, ALOHA, Hazmat Branch/Safety Officer, Transportation Specialist).

Chapter 9: Training Requirements

- Unified Incident Command System - a 16 hour course which must have been completed by all incident commanders of a hazardous materials incident. All fire chiefs and command officers who may take command of an incident beyond that of an awareness level, must take this course.
- Annual refresher training -
 - Those employees who are trained in accordance with the provisions of these HAZWOPER rules shall receive annual refresher training of sufficient content and duration to remain competent with respect to their duties and functions or shall demonstrate competency in those areas at least annually.
 - A statement shall be made of the training or competency and, if a statement of competency is made, an employer shall keep a record of the methodology used to demonstrate competency.

Other courses offered include:

- Chemistry of Hazardous Materials - two, 32-hour courses (Chemistry I and Chemistry II) provide the basic knowledge required for evaluating the potential hazards and behaviors of materials considered hazardous.
- Train-the-Trainer Courses - First Responder Awareness and First Responder Operations Courses. Instructors are taught in a "train-the-trainer" mode to qualified participants to teach the courses. It is recommended that all trainers be trained to at least one level above that which they are teaching.

It is the intent to provide these courses at a minimal fee. The Awareness and Operations courses are offered to Fire Fighter personnel in the field through the Firefighters Training Council. Contact the Firefighters Council at (517) 322-5444. The Technician and advanced level courses are held at the Michigan State Police, Hazardous Materials Training Center (HMTTC) in Lansing and may be presented on location upon request. Contact HMTTC at (517) 322-1190 for further information.

LEPC Tasks:

- Make sure all LEPC members are trained in SARA Title III, basic LEPC duties, and planning methodologies.
- Include in the plan a description of training programs and a schedule of training for emergency responders.
- In order to accomplish #2 above, survey all police, fire, EMS, and other personnel in the emergency planning district to ascertain their level of training, the programs through which they received this training, and the schedule of each organization's training.

Optional Additional LEPC Tasks:

- Coordinate all training for emergency responders.
- Based on the results of the survey, make recommendations for training and programs.
- Encourage that "train-the-trainers" exist in the district that can train all personnel to the necessary minimum levels.
- Research the community's capability to fully mitigate an incident (Hazardous Material Technician). Work to develop this capability either within the district or outside the district through a negotiated agreement.

CHAPTER TEN

Exercising Requirements

Definition

An exercise is a test of the written emergency plan. It can be as simple as holding a meeting to discuss the response or as complex as actually deploying equipment and personnel in the field.

Purpose

The purpose of the exercise is to react to a situation as it is written in the plan. This reaction tests the procedures for any omissions or unworkable concepts. The plan is then altered based on the exercise results. Exercising is also a form of training whereby emergency responders gain experience in operating from the planned procedures.

Types

There are many different types of exercises. They include:

- Tabletop - The emergency responders are called together and given a hypothetical situation. They discuss their response "around the table".
- Functional - A select group of emergency responders, responsible for a specific area of the response, come together to test their procedures. Examples include: hazardous material response team patching a leak, setting up and operating a shelter, treating a victim of chemical contamination.
- Full scale - All emergency responders come together and are given a hypothetical situation. They operate out of the designated emergency coordination facility, testing communications, coordination, and each agency's procedures. This includes field activity.

Assistance

The Emergency Management Division has staff available for assisting with developing, conducting and evaluating exercises.

LEPC Tasks:

- Decide on an exercise policy for the emergency planning district (i.e., what type, how often, etc.).
- Work with local emergency management coordinators to develop a method and schedule for exercising off-site response plans.

Additional Optional LEPC Tasks:

- At each facility for which site-specific procedures are developed, hold a small tabletop exercise annually. At a minimum the local emergency management coordinator, local fire chief, and facility emergency coordinator should be involved. These persons can review the plan and discuss operating procedures. This "exercise" can also fulfill the annual plan review and update requirement in that this group can forward plan changes they think are necessary to the LEPC.
- Annually, the LEPC should choose one facility for which site-specific procedures are developed and hold a full-scale exercise. This exercise should involve all emergency responders and should be located at the emergency coordination facility identified in the plan. They should respond to a hypothetical situation at the site as they would in real life. The facility should be involved in

developing the scenario. Often this exercise is held in conjunction with the facility exercising its own procedures. Response teams can be deployed to the site to test "hands on" procedures.

- Develop a four year exercise schedule identifying which facilities and fire departments are scheduled for exercises in which year. This allows all involved to plan ahead. By cooperating together in developing this long-range plan, many needs can be met simultaneously.

CHAPTER ELEVEN

Answers To Frequently Asked Questions

Q. If I become an LEPC member, will I be held personally liable if something goes wrong during a response when the responders followed a plan I helped develop?

- A. This is an issue in many states. In Michigan, the Department of Attorney General has indicated that there are two reasons it cannot provide a definitive answer to this question: (1) no reported cases exist concerning the liability of individuals acting in accordance with the planning provisions of EPCRA, and (2) the question of whether a member is liable depends on the specific facts of an individual case. Generally, it would appear that since LEPC members are appointed by a state commission, they are agents of the state and are under the same immunities as state employees, if all the following are met:
1. They are acting within the scope of their authority;
 2. The governmental agency is engaged in the exercise or discharge of a governmental function; and
 3. The individual's conduct does not amount to gross negligence resulting in injury or damage.

Q. What if the county does not have an active LEPC?

- A. The federal law, SARA Title III, states that the state commission must create emergency planning districts and appoint LEPCs in each district. This has been done in Michigan. Further, the law states that LEPCs shall perform certain functions. If the LEPC is not active, it is failing to abide by the law. Obviously, it is better to meet as an LEPC and try to fulfill the intent of the law than to do nothing.

Q. We have a few members we would like to see taken off the LEPC. How can we accomplish this?

- A. It is the policy of the Michigan Emergency Planning and Community Right-to-Know Commission to rely on local input for LEPC membership nominations. The commission will not add or remove a member without a letter from the jurisdiction requesting this.

Q. I know there are more 302 sites in my jurisdiction than those on the DEQ list. What should I do?

- A. Perform community outreach, informing sites of their responsibilities. Alternatively, the LEPC can inform the Department of Environmental Quality (DEQ) of possible sites and the DEQ will make inquiries for the LEPC. The site itself must make the official notification; the LEPC cannot do it for them.

Q. Who should be trained for Hazmat response in the county?

- A. Per Part 432 "R 325-52133 Emergency Response Training" of the CIS Occupational Health Standards: "Employees who participate or are expected to participate in emergency response shall be trained in accordance with the requirements of this rule. Training shall be based on the duties and functions to be performed by each responder of an emergency response organization. The skill and knowledge levels required for all new responders, those hired after the effective date of these rules, shall be conveyed to them through training before they are permitted to take part in actual emergency operations on an incident." See Chapter Nine for specific levels of training and competencies.

Q. Our LEPC cannot get anything done at LEPC meetings because we usually cannot get a quorum. What can we do?

- A. First, much can be accomplished through subcommittees. In fact, the majority of the real "work" is usually done in the subcommittee. Second, the LEPC bylaws should be re-examined since the requirement for a quorum may be too strict. The bylaws should also provide for replacement of an LEPC member after a certain number of unexcused absences. However, the overriding factor is that

the LEPC members apparently do not feel it is important to attend LEPC meetings. The membership should be changed or a more useful meeting should be conducted.

Q. Our fire department has no training. Where do they get it?

- A. The Firefighters Training Council advocates that each county establish a training committee, responsible for overseeing all Hazmat training within the county. This committee should send designated persons to the train-the-trainer courses offered through the Emergency Management Division HazMat Training Center. These persons then return to the community to train other personnel. Some funding is available to pay instructors(through FFTC) and materials; courses are no longer offered free of charge.

Q. Our community has very little capability to respond to a Hazmat incident. Why should we develop a plan?

- A. The less capability a community has, the more reason there is to develop a plan. Accidents will happen and the community must be prepared to handle them. Through planning, the community identifies shortfalls and makes provisions to correct them, either through further training and equipping of existing forces or through arrangements with neighboring jurisdictions or the private sector.

Q. Our hospital and EMS staff are not trained nor do they have the facilities to respond to victims of a Hazmat incident. What should we do?

- A. If an EMS unit or hospital personnel respond to an incident, they must have the appropriate training according to MIOSHA. A First Responder Operations course is available through the Emergency Management Division. It is recommended that someone from the area be trained to the technician level and attend the First Responder Operations Train-the-Trainer course so that they can train others within the area. If such organizations indicate they will not respond due to the cost of training, a cooperative effort on the part of the LEPC, industry, all hospitals and EMS organizations in a region may be necessary. By sharing the effort, this requirement may be less costly.

Q. A facility in our town is not cooperating. What can we do?

- A. The DEQ can assist with inquiries and ultimately referral to the EPA for enforcement action, if necessary. Also, other agencies such as the Michigan Chemical Council may be able to assist.

Q. How can we get the elected officials interested in getting the LEPC active?

- A. The Department of State Police, Emergency Management Division is available to discuss the requirements of the law either individually or through a public officials' conference. Michigan Emergency Planning and Community Right-to-Know Commission members may also assist with direct contact, based on request. The local emergency management coordinators are appointed by the chief executive and should be instrumental in convincing public officials of the importance of the LEPC. Often citizen groups and the news media provide a good motivating factor.

Q. We did our vulnerability zone analysis and it extended out 5 miles. How can we plan to evacuate this large an area?

- A. Depending upon the formula you choose to use, this is often the worst case scenario. It may be helpful to run both a worst case and a "most probable" scenario. Planning can be done for both. These analyses are to provide the planners with a preliminary picture of the area that could be affected. Obviously, tailoring of this area needs to be done at the time of the incident. Also, keep in mind that evacuation is not the only protective action. Often, in-place shelter is the better choice.

Q. Is there funding available for LEPC activities?

- A. There is some funding available through the Hazardous Material Emergency Planning (HMEP) grant program that is administered by the Emergency Management Division.

- Q. There are 302 sites on the DEQ list in my jurisdiction that should not be on the list. What should I do?**

See Chapter 5 for procedures.

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CHAPTER TWELVE

References And Sources Of Additional Information

ORGANIZATIONS:

(MIOSHA) Department of Labor and Economic Growth, General Industry Safety

Division: Provides information on firefighter right-to-know planning and fire department and other organization safety regulations. Contact (517) 322-1831.

Department of Environmental Quality, Michigan SARA Title III Program: Provides information on Title III reporting requirements, receives and processes all reports submitted pursuant to SARA Title III; maintains historical database of Title III reports; staff to SERC; provides workshops and training for facilities, LEPCs, and responders; responsible for enforcement of Title III regulations in cooperation with EPA. Contact (517) 373-8481.

Department of State Police, Emergency Management Division: Oversees local emergency management programs; provides direct assistance to local government via district coordinators located across the state; reviews Hazmat plans; provides Hazmat planning services; provides training for first responders, local emergency managers, public officials, and members of volunteer organizations on the design and evaluation of exercises, CAMEO air dispersion modeling, TIGER mapping, Hazmat first responder courses; and manages the Michigan Hazardous Materials Training Center. Contact (517) 336-6198.

Department of State Police, Motor Carrier Division: Provides for the coordination of the immediate response to transportation related Hazmat incidents through Hazmat officers located throughout the state; available for technical advice; provides information on routing and transportation regulations regarding hazardous materials. Contact (517) 336-6195.

Environmental Protection Agency (EPA): Responsible for Title III at the federal level; available for CAMEO training; enforcement of Title III regulations; making policy decisions; responding to inland spills when beyond state and local capability; co-chair of the federal Regional Response Team. Contact (312) 886-2000.

Environmental Protection Agency EPCRA Call Center: Provides information on Title III issues. Contact 1-800-424-9346.

Michigan Chemical Council: Available to assist in identifying facilities and facility coordinators. Contact (517) 372-8898.

Michigan Emergency Planning and Community Right-to-Know Commission: Oversees LEPC implementation of Title III; assists LEPCs in getting organized; refers enforcement actions to EPA; reviews and comments on local plans; maintains community-right-to-know records and fulfills requests for information. Contact (517) 336-6198.

Michigan Firefighters' Training Council: Establishes fire fighting training standards, courses, and curriculum development, training program delivery, and professional certification; offers field delivery of the first two levels of Hazmat first responder courses. Contact (517) 322-5444.

Michigan Railroads Association: Available to assist in identifying the rail carrier and/or commodities being transported on a specific line. Contact (517) 482-9413.

Michigan Trucking Association: Available to assist in identifying major trucking firms operating in the community. Contact (517) 321-1951.

National Response Center: Responsible for receiving reports of Hazmat spills; available for technical advice. Contact 1-800-424-8802.

National Response Team (NRT): Provides advice on emergency planning through planning guidance documents; provides technical assistance on Hazmat incidents after Regional Response Team requests assistance.

National Safety Council: Provides for the distribution of Computer Aided Management of Emergency Operations (CAMEO). Contact 1-800-621-7619.

Regional Response Team (RRT): Provides advice and technical assistance on Hazmat incidents through 14 federal agencies and state representatives that are part of this team; responsible for reviewing Title III plans based on request; establishes cleanup policy and maintains the federal Regional Contingency Plan. Contact FEMA or EPA listed above.

United States Coast Guard: Responsible for responding to spills on navigable waterways; provides technical advice; co-chair of the federal Regional Response Team. Contact (216) 902-6117, 9th District, Cleveland.

APPENDIX A

Glossary

Following are terms used in this document that may need further explanation:

Annex - A part of the Emergency Operations Plan that provides detail on how particular tasks identified in the basic plan will be accomplished. Each annex represents a work group (i.e., fire, health, communications, etc.).

Appendix - A supporting part attached to each annex to the Emergency Operations Plan. The appendices provide detail on a *hazard specific* basis. There are generally four appendices. They are: nuclear power plant accident appendix (only for jurisdictions in a primary emergency planning zone of a nuclear power plant), national security appendix, natural disaster appendix, and technological disaster appendix.

Basic Plan - The basic plan is the first part of the Emergency Operations Plan that provides a summary of how the jurisdiction operates during an emergency or disaster. It is the foundation of the plan and has various supporting annexes.

CAMEO - See Computer-Aided Management of Emergency Operations below.

Command Post (CP) - A base of operations established by the incident commander of the local fire department at the site of a hazardous materials incident.

Community Emergency Coordinator - The person appointed by the local emergency planning committee (LEPC) pursuant to SARA, Title III who makes determinations necessary to implement plans and who receives emergency notification of releases.

Computer-Aided Management of Emergency Operations (CAMEO) - CAMEO, a computer software package, contains chemical nomenclature and response information for 3,311 commonly transported chemicals; an air dispersion model to assist in evaluating release scenarios and evacuation options; a mapping capability; and several easily adaptable databases and computational programs that address the emergency planning provisions of Title III, the Emergency Planning and Community Right-to-Know Act of 1986.

DEQ - Department of Environmental Quality

EHS - See Extremely Hazardous Substance below.

Emergency Management Act - An act to provide for mitigation, preparedness, response, and recovery from natural and human-made disasters within the State of Michigan. Act No. 390 of 1976 as amended.

Emergency Management Coordinator - The person appointed in each county and some municipalities pursuant to Act No. 390 of 1976, as amended, to coordinate all-hazard mitigation, preparedness, response, and recovery services within the jurisdiction.

Emergency Operations Center (EOC) - The pre-designated facility, established by the emergency management coordinator, from which government officials coordinate emergency response.

Emergency Operations Plan (EOP) - The all-hazard plan developed and maintained by an emergency management program for the purpose of organizing and coordinating the community's emergency/disaster response. An EOP usually consists of a basic plan and various supporting annexes and appendices.

Emergency Planning District - The geographic area designated by the Michigan Emergency Planning and Community Right-to-Know Commission as the area in which plans must be developed for response to a hazardous material incident. In Michigan, each county has been designated as a district and municipalities over 10,000 may petition the Commission to be designated as a district. 89 districts have been designated in Michigan.

Emergency Response Plan - As referenced in SARA Title III, "Emergency Response Plan" means the document developed by an LEPC which includes the requirements referenced in Section 303 (see Chapter 1 of this book for a summary). As practiced in Michigan, a plan is usually developed for each applicable site.

Emergency Action Guideline (EAG) - See Emergency Operations Plan above.

EPCRA - The Emergency Planning and Community Right-to-Know Act. See SARA.

Extremely Hazardous Substance (EHS) - A substance contained within the list of substances published pursuant to section 302 of SARA Title III. Otherwise known as the 302 Extremely Hazardous Substance list.

Facility Emergency Coordinator - The facility representative for each Title III 302 facility with an EHS in a quantity exceeding its threshold planning quantity (TPQ), who participates in the emergency planning process for that site.

Incident Command System (ICS) - The combination of facilities, equipment, personnel, procedures and communications operating within a common organizational structure with responsibility for management of assigned resources to effectively accomplish stated objectives at the scene of an incident. According to HAZWOPER, all Hazmat incidents must be managed by an incident command system. Several models are available.

Incident Commander (IC) - The individual (normally the ranking fire officer on scene) responsible for the management and coordination of all hazardous materials incident operations.

Local Emergency Planning Committee (LEPC) - The committee appointed by the Michigan Emergency Planning and Community Right-to-Know Commission, as required by Title III of SARA, to perform local emergency planning and community right-to-know activities. Committees are appointed in each emergency planning district in the state and are required to have representation from a variety of groups.

Material Safety Data Sheet (MSDS) - A description of a material, including the manufacturer's name, the chemical's synonyms, trade name, chemical family, hazardous ingredients, physical data, fire and explosion hazard data, health hazard data, reactivity data, spill or leak procedures, special protection information, and special precautions required by OSHA regulations. MSDSs must be available for hazardous materials.

Michigan Emergency Management Plan (MEMP) - The all-hazard plan for State of Michigan government developed pursuant to Act 390 of 1976, as amended, for the purpose of coordinating the emergency management activities of mitigation, preparedness, response and recovery within the state.

Michigan Emergency Planning and Community Right-to-Know Commission - The commission appointed by the Governor pursuant to SARA, Title III to carry out the emergency planning and right-to-know activities in the State of Michigan as authorized. Otherwise known as the State Emergency Response Commission (SERC).

Michigan Hazardous Waste Operations and Emergency Response (HAZWOPER) - State safety and health standards promulgated for hazardous waste operators and emergency response personnel by the Michigan Occupational Safety and Health Administration (MIOSHA) as originally authorized in SARA, Title I. The Michigan standard mirrors the federal law, known as 29 CFR 1910.120 final rule. The Michigan rule is Michigan Occupational Health Rule 325.5210.

MIOSHA - Michigan Occupational Safety and Health Administration. Responsible for developing and enforcing state standards for occupational safety and health. This responsibility is shared between the Michigan Department of Labor, and the Michigan Department of Public Health.

MSP - Michigan State Police

Off-Site Standard Operating Procedure - Standard Operating Procedure (SOP) developed by local government to respond to an emergency incident at a designated facility.

Resource Manual - A manual compiled by the emergency management coordinator and local government that lists sources of resources (personnel, equipment, etc.) which can be accessed by the emergency response community in the event of an emergency incident. A supporting document to the Emergency Operations Plan and the off-site standard operating procedures for fixed sites.

SARA - Superfund Amendments and Reauthorization Act of 1986. Title I deals with health and safety issues for hazardous waste workers and emergency response personnel. Title III deals with emergency planning and community right-to-know provisions. Also known as the Emergency Planning and Community Right-to-Know Act (EPCRA).

SERC – State Emergency Response Commission.

Site Plan - A detailed plan of action for employees that is unique to a specific site to be implemented during an emergency or disaster situation. Written and coordinated with the local government *off-site* standard operating procedures.

Standard Operating Procedures (SOP) - Detailed procedures that are unique to a specific emergency or disaster situation or those that are written by a specific department or agency to detail the tasks assigned in an Emergency Operations Plan.

State Emergency Response Commission (SERC) - See Michigan Emergency Planning and Community Right-to-Know Commission above.

Superfund Amendments and Reauthorization Act - See SARA above.

Title III - The Emergency Planning and Community Right-to-Know Act of 1986 which specifies requirements for organizing the planning and community right-to-know process at the state and local level. See SARA above.

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